

Township Of Lafayette Master Plan Housing Element and Fair Share Plan

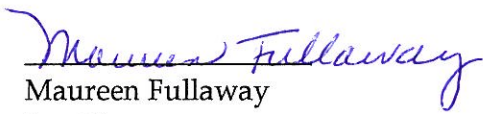
Prepared For:
*Mayor and Committee
And
Lafayette Township Land Use Board*


*

*Township of Lafayette
Sussex County, New Jersey*

Prepared By:

AFFORDABLE HOUSING ADMINISTRATORS


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Adopted by Resolution by the Lafayette Township Land Use Board on: 12/2/08

Endorsed by the Lafayette Township Committee on: 12/2/08

The original of this master plan was signed and sealed in accordance with N.J.S.A. 45:14A-12.

HONORABLE RICHARD HUGHES, MAYOR

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I. INTRODUCTION

Pursuant to the Municipal Land Use Law (40:55D-28.b(3)), a Master Plan may, where appropriate, contain a Housing Element. Pursuant to section 10 of P.L. 1985, c. 222 (C. 52:27D-310), a municipality's Housing Element shall be designed to achieve the goal of access to affordable housing to meet present and prospective housing needs, with particular attention to low and moderate income housing.

COAH adopted third round rules which went into effect on December 20, 2004. In 2005, the Township prepared a Housing Element and Fair Share Plan consistent with the new regulations. On December 1, 2005, the Township Land Use Board adopted a Housing Element and Fair Share Plan, and on December 6, 2005, the Township Committee endorsed the Housing Element and Fair Share Plan. The Township petitioned COAH for substantive certification on December 13, 2005 and re-petitioned with an amended plan on November 9, 2006.

Prior to COAH action on the Township's petition, COAH's third round regulations were challenged by various parties and they were invalidated, in part, by the Appellate Division in In Re Adoption of N.J.A.C. 5:94 and 5:95 by the New Jersey Council on Affordable Housing, 390 N.J. Super. 1 (App. Div.), certif. denied, 192 N.J. 72 (2007). On May 6, 2008 COAH adopted revised Third Round regulations in response to the Appellate Division Decision, and became effective on June 2, 2008. Municipalities that are currently under COAH's jurisdiction, like Lafayette Township, have until December 31, 2008 to file a Revised Housing Element and Fair Share Plan with COAH or re-petition COAH with a Revised Housing Element and Fair Share Plan for substantive certification to remain under COAH's jurisdiction and retain protection from a builder's remedy suit.

This 2008 Housing Element and Fair Share Plan addresses Lafayette's Third Round housing obligation in accordance with the new regulations.

PLAN REQUIREMENTS

Pursuant to Section 10 of P.L. 1985, C. 222 (C:52:27D-310) a Housing Element must contain at least the following:

- a. An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
- b. A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the next ten (10) years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development, and probable residential development of lands;
- c. An analysis of the municipality's demographic characteristics, including, but not necessarily limited to, household size, income level, and age;
- d. An analysis of the existing and probable future employment characteristics of the municipality;

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- e. A determination of the municipality's present and prospective fair share of low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share of low and moderate income housing;
- f. A consideration of the lands most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing;

In addition to the requirements of the Municipal Land Use Law and Section 10 of P.L. 1985, C. 222 (C:52:27D-310), N.J.A.C. 5:97-2.3 requires that the Housing Element include the following:

- 1. The household projection for the municipality as provided in Appendix F;
- 2. The employment projection for the municipality as provided in Appendix F;
- 3. The municipality's prior round obligation (from Appendix C);
- 4. The municipality's rehabilitation share (from Appendix B);
- 5. The projected growth share in accordance with the procedures in N.J.A.C. 5:97-2.4; and
- 6. An inventory of all non-residential space by use group that was fully vacant as of the date of petition, to the extent feasible.

Supporting information to be submitted to COAH shall include:

- 1. A copy of the municipal master plan;
- 2. A copy of the most recently adopted municipal zoning ordinance; and
- 3. A copy of the most up-to-date tax maps of the municipality, electronic if available, with legible dimensions.

This 2008 Housing Element and Fair Share Plan replaces all previously adopted housing elements and fair share plans, and is hereby incorporated into the Township's comprehensive master plan as the official Housing Element.

II. HOUSING ELEMENT

The Housing Element provides an inventory of Lafayette Township's housing stock, and an analysis of the Township's demographic and employment characteristics.

DEMOGRAPHIC ANALYSIS

The 2000 Census recorded a total population of 2,300 persons in Lafayette. This reflects an increase of 398 persons since 1990. This population increase of 17 percent is less significant than the 34 percent increase that occurred between 1970 to 1980.

In 2004, the United States Census Bureau estimated the resident population for all municipalities and minor civil divisions in New Jersey. The resident population of the Township in 2004 was estimated at 2,478; a modest increase of people since 2000.

**Table 1:
Population Growth for Lafayette Township and Sussex County, 1940 – 2003**

Year	Lafayette Township	Population Change		Sussex County	Population Change	
		Number	Percent		Number	Percent
1940	803	X	X	29,632	X	X
1950	836	33	4.1%	34,423	4,791	16.2%
1960	1,100	264	31.6%	49,255	14,832	43.1%
1970	1,202	102	9.3%	77,528	28,273	57.4%
1980	1,614	412	34.3%	116,119	38,591	49.8%
1990	1,902	288	17.8%	130,943	14,824	12.8%
2000	2,300	398	20.9%	141,166	10,223	7.8%
2004 (U.S. Census Bureau Estimate)	2,478	178	7.7%	152,218	11,052	7.8%

Source: NJSDC, 2000 & Population Division, U.S. Census Bureau, 2000

AGE

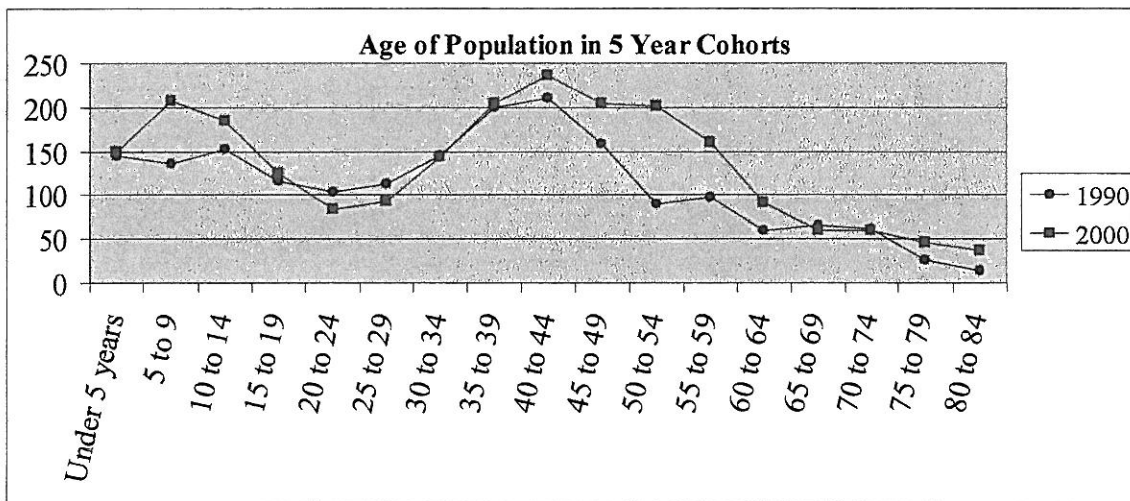
Between 1990 and 2000, residents aged 75 to 85+ years increased by 96 percent, those aged 60 to 74 increased by 12 percent and residents aged 45 to 59 years increased by 64 percent. These significant increases can be attributed to the aging of the baby boom generation. Between 1990 and 2000, the number of residents under the age of 5 increased by only 3.4 percent. The school aged population of residents aged 5 to 19 increased by 27.9%, while those between the ages of 20 and 44 actually decreased by 1.3 percent.

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Table 2
Age Cohorts, Lafayette Township, 1990 and 2000

Age	1990	2000	Number Change	Percent Change
Under 5	145	150	5	3.4%
5 to 19	405	518	113	27.9%
20 to 44	772	762	-10	-1.3%
45 to 59	345	566	221	64.1%
60 to 74	187	210	23	12.3%
75 to 85+	48	94	46	95.8%

Source: U.S. Census Bureau, 2000



MEDIAN HOUSEHOLD INCOME

In Lafayette, the median household income increased by almost 50 percent, from \$55,290 in 1989 to \$82,805 in 1999. Between 1989 and 1999, the household income segments producing \$100,000 to \$149,000, and incomes in excess of \$150,000, increased the most, at 294 and 336 percent respectively. Households producing incomes between \$75,000 and \$99,000 also increased at 16.5 percent. All households producing incomes less than \$74,999, decreased.

Table 3
Household Income, Lafayette Township, 1989 and 1999

Household Income	1989	1999	Number Change	Percent Change
Less than \$10,000	22	14	-8	-36.4%
\$10,000 to \$14,999	27	6	-21	-77.8%
\$15,000 to \$24,999	55	39	-16	-29.1%
\$25,000 to \$34,999	60	44	-16	-26.7%
\$35,000 to \$49,999	111	83	-28	-25.2%
\$50,000 to \$74,999	177	145	-32	-18.1%
\$75,000 to \$99,999	109	127	18	16.5%

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\$100,000 to \$149,999	50	197	147	294.0%
\$150,000 or more	22	96	74	336.4%
Total	633	751	118	18.6%
Median household income in 1989	\$55,290			
Median household income in 1999	\$82,805			

Source: U.S. Census Bureau, 1990, 2000

HOUSING INVENTORY

Between 1990 and 2000, the number of occupied housing units increased by 2.2 percent of total housing units, and the number of vacant units simultaneously decreased by 2.2 percent. These changes indicate a healthy housing market in the Township.

**Table 4
Housing Units and Occupancy**

	1990		2000	
	Number	Percent	Number	Percent
Occupied Housing Units	632	94.3%	771	96.5%
Vacant Housing Units	38	5.7%	28	3.5%
TOTAL	670	100%	799	100%

Source: U.S. Census Bureau, 1990, 2000

Homeowner vacancy rates decreased from 2.7 to 0.3 percent, while rental vacancy rates increased between 1990 and 2000, from 1.1 to 4.4 percent.

**Table 5
Vacancy Rates**

	1990	2000
Homeowner Vacancy Rate	2.7	0.3
Rental Vacancy Rate	1.1	4.4

NUMBER OF UNITS IN STRUCTURE

In Lafayette, there are a total of 799 housing units. The vast majority (94 percent) of housing units are single-family detached. The next largest unit type is multi-family (2-4 units per structure) housing at 5.8 percent. Single-family attached homes and structures comprised of 5 to 9 units both accounted for 0.3 percent of the total. The majority of single-family attached and detached units are owner-occupied while most multi-family units are rentals.

Table 6
Housing Units by Number of Units in Structure and Tenure, 2000

Number of Units	Owner-Occupied	Rental	Vacant	Total	Percent
1, Detached	673	50	26	749	93.7%
1, Attached	2	0	0	2	0.3%
2 to 4	19	25	2	46	5.8%
5 to 9 units in structure	0	2	0	2	0.3%
10 or more	0	0	0	0	0.0%
Mobile Home / Trailer / Other	0	0	0	0	0.0%
Total	694	77	28	799	100%

Source: U.S. Census Bureau, 2000

From 1990 to 2000, the median number of rooms per unit increased from 6.9 to 7.3 rooms per housing unit. In 1990 the majority of units (29.7 percent) had 6 rooms, while in 2000, the majority of units (26.7 percent) had 9 or more rooms. In 2000, 66 percent of the housing units in Lafayette had at least 7 rooms. This indicates that the housing stock in Lafayette is generally large and continually increasing in size.

Table 7
Housing Units by Number of Rooms, 1990 & 2000

Rooms	Housing Units			
	1990	Percent of total	2000	Percent of total
1 room	0	0.0%	0	0.0%
2 rooms	5	0.7%	0	0.0%
3 rooms	14	2.1%	8	1.0%
4 rooms	45	6.7%	26	3.3%
5 rooms	92	13.7%	84	10.5%
6 rooms	199	29.7%	152	19.0%
7 rooms	116	17.3%	154	19.3%
8 rooms	96	14.3%	162	20.3%
9 or more rooms	103	15.4%	213	26.7%
Median (rooms)	6.9*		7.3	

**estimate US Census Summary File 3 (SF3) 1990 & 2000*

AGE OF HOUSING

The number of units built in Lafayette has increased steadily since 1939. Thirty-eight (38) percent of the housing stock was built prior to 1960. About 190 units, or almost a quarter of the Township's total housing stock, was built since 1990. The Township also saw substantial growth in the 1980's with 175 units built (21.9 percent of the total stock) between 1980 and 1989. The median year of the housing age is 1977.

**Table 8
Age of Housing Stock**

Year Built	Total Units	Percent of Total
1999 to March 2000	37	4.6%
1995 to 1998	114	14.3%
1990 to 1994	39	4.9%
1980 to 1989	175	21.9%
1970 to 1979	132	16.5%
1960 to 1969	113	14.1%
1940 to 1959	51	6.4%
1939 or earlier	138	17.3%
Total	799	100%
Median Year Built – 1977		

Source: U.S. Census Bureau, 2000

HOUSING VALUE

In Lafayette, nearly 60 percent of specified owner-occupied housing units are valued between \$150,000 to \$299,000. Median housing value in the Township (50 percent are lower and 50 percent are higher) is \$221,100.

**Table 9
Housing Value, 2000**

Specified Owner-Occupied Units*	Number	Percent
Less than \$50,000	0	0.0%
\$50,000 to \$99,999	15	2.7%
\$100,000 to \$149,999	96	17.2%
\$150,000 to \$199,999	133	23.8%
\$200,000 to \$299,999	196	35.1%
\$300,000 to \$499,999	114	20.4%
\$500,000 to \$999,999	2	0.4%
\$1,000,000 or more	2	0.4%
TOTAL	558	100%
Median Value: \$221,100		

Source: U.S. Census Bureau, 2000

*Total number of owner-occupied housing units described as either a one family home detached from any other house or a one family house attached to one or more houses on less than 10 acres with no business on the property. This is a U.S. Census Bureau distinction.

GROSS RENTS

The median gross rent in Lafayette Township is \$815 with the same amount of renters (33.8 percent) paying in the range of \$500 to \$749 and 750 to \$999. Less than 6 percent of the renters pay less than \$500 a month for rent, while approximately 18 percent of the Township's renters pay over \$1,000 monthly on rent.

Table 10
Gross Rents, 2000

Renter Occupied Units	Number	Percent
Less than \$299	0	0.0%
\$300 to \$499	4	5.9%
\$500 to \$749	23	33.8%
\$750 to \$999	23	33.8%
\$1,000 or more	12	17.6%
No cash rent	6	8.8%
Total	68	100.0%
Median Contract Rent \$815		

Source: U.S. Census Bureau, 2000

QUALITY INDICATORS

Housing quality is generally evaluated by several indicators, as follows:

- Age: Units built before 1940 are considered to have a significant age factor.
- Overcrowding: Units containing more than 1.0 person per room are considered to be overcrowded.
- Plumbing facilities: Units lacking complete plumbing for exclusive use are considered deficient.
- Kitchen facilities: Units lacking a sink with piped water, a stove and a refrigerator are considered deficient.
- Heating facilities: Units lacking central heat are considered deficient.

While Lafayette has a substantial percentage of historic housing aged 60 years or older, the remaining housing stock quality indicators all rank very high. One percent of housing units were considered overcrowded, and there were no recorded units that were lacking complete plumbing facilities or kitchen facilities. Of the 47 units that were considered to lack central heating, 30 used wood as a heat source, while the remaining used coal or coke, other fuel, or no fuel at all. In general, it appears that the quality of the Township's stock is very good.

Table 11
Quality Indicators, Occupied Housing Stock, 2000

	Number	Percent of Total
Built before 1940	138	17.3%
Overcrowded	8	1.0%
Lacking complete plumbing	0	0.0%
Lacking complete kitchen	0	0.0%

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facilities		
Lacking central heating/ No fuel used	47	5.9%
Total Housing Units	799	100.0%

Source: U.S. Census Bureau, 2000

EMPLOYMENT

Introduction

This analysis looks at employment in two ways: through an analysis of at-place employment and employment characteristics of residents within Lafayette Township. At-place takes into account all businesses and employed workers within Lafayette Township. Resident employment characteristics are taken from the US Census, and include all residents of Lafayette even if they work elsewhere.

At Place Employment

The US Census reported that in 2006, there were 157 businesses located in Lafayette (and vicinity*) employing 1,933 people. Construction and Retail Trade were the top two industries located in Lafayette area accounting for 34.4% of all establishments. Examples of Construction industry jobs, according the North American Classification System (NAICS) include contractors of building construction, remodelers, utility system construction, highway workers, , electrical and roofing contractors. Retail Trade industry examples include used and new car dealers, furniture sales, electronics sales, jewelry store sales and florists.

Table 12
At-Place Employment
Lafayette Township, 2006

Jurisdiction	Number of Businesses	Number of Employees
Lafayette (07848)	157	1,933

Source: US Census, 2006 ZIP Code Business Patterns (NAICS);

*The employment data above is for informational purposes and is taken from NAICS data that might not adhere to municipal boundary lines.

Table 13
Types of Businesses
Lafayette Township, 2006

Type of Industry	Number	Percent
Mining	2	1.3%
Construction	27	17.2%
Manufacturing	8	5.1%
Wholesale trade	13	8.3%
Retail trade	27	17.2%
Transportation & warehousing	7	4.5%
Information	3	1.9%
Finance & insurance	4	2.5%
Real estate & rental & leasing	6	3.8%
Professional, scientific & technical service	11	7.0%
Management of companies & enterprises	2	1.3%

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Type of Industry	Number	Percent
Admin, support, waste mgt, remediation service	7	4.5%
Educational services	3	1.9%
Health care and social assistance	10	6.4%
Arts, entertainment & recreation	4	2.5%
Accommodation & food services	8	5.1%
Other services (except public administration)	15	9.6%
Total	157	100%

Source: US Census, 2006 ZIP Code Business Patterns (NAICS);

*The employment data above is for informational purposes and is taken from NAICS data that might not adhere to municipal boundary lines.

As seen in the following table, more than half (57.3%) of the business establishments in the Lafayette vicinity employ between one to four persons. Businesses with 5 to 9 employees and 10 to 19 employees were not as common, but still accounted for approximately 30 percent of the businesses in the Township.

Table 14
Businesses Size by Number of Employees
Lafayette Township, 2006

Industry	'1-4'	'5-9'	'10-19'	'20-49'	'50-99'	'100-249'	'250-499'
	Percent of Businesses						
Mining	0	0	1	1	0	0	0
Construction	12	3	2	1	0	0	0
Manufacturing	3	1	1	1	0	0	0
Wholesale trade	6	0	1	0	1	0	0
Retail trade	10	4	3	1	0	0	0
Transportation & warehousing	2	1	0	1	0	1	0
Information	1	0	0	0	1	0	0
Finance & insurance	1	1	0	0	0	0	0
Real estate & rental & leasing	3	1	0	0	0	0	0
Professional, scientific & technical services	4	1	1	0	0	0	1
Management of companies & enterprises	1	0	0	0	0	0	0
Admin, support, waste mgt, remediation services	4	0	0	0	1	0	0
Educational services	0	0	0	2	0	0	0
Health care and social assistance	1	3	1	1	0	1	0
Arts, entertainment & recreation	2	0	1	0	0	0	0
Accommodation & food services	3	1	0	1	1	0	0
Other services (except public administration)	4	3	1	1	0	0	0
Total	57.3%	19.1%	10.8%	8.3%	2.5%	1.3%	0.6%

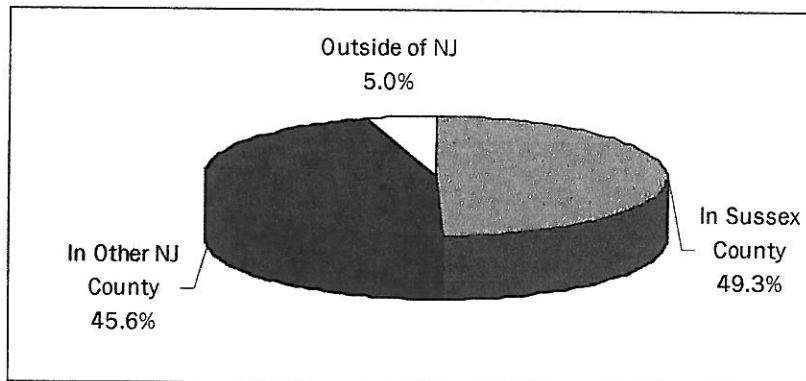
Source: US Census, 2006 ZIP Code Business Patterns (NAICS);

*The employment data above is for informational purposes and is taken from NAICS data that might not adhere to municipal boundary lines.

Job Locations

In 2000, the residents of Lafayette were split between working within Sussex County (49.3%) and working in another NJ County (45.6%). The remaining five percent worked outside of the State.

**Table 15
Job Location
Lafayette Township, 2000**



Source: US Census 2000, Summary File 3 (SF3)

Employment Characteristics

The following table presents characteristics of Lafayette's labor force, including the most common occupations and industries of Lafayette residents, in addition to their median earnings. Noteworthy statistics from the 2000 US Census include:

- 75% of residents were in the labor force;
- The Township had a 3.3% unemployment rate;
- The most common occupation was *Management, professional, and related* accounting for 40% of residents' occupations;
- The most common industry was *Educational, health and social services* accounting for 17.8% of residents' industry;
- The median earnings for a full-time male employee in Lafayette was \$61,307;
- The median earnings for a full-time female employee in Lafayette was \$38,816.

Table 16
Employment Status of Population

	Number	Percent
EMPLOYMENT STATUS		
Population 16 years and over	1,714	100
In labor force	1,270	74.1
Civilian labor force	1,270	74.1
Employed	1,214	70.8
Unemployed	56	3.3
Percent of civilian labor force	4.4	(X)
Armed Forces	0	0
Not in labor force	444	25.9
OCCUPATION		
Management, professional, and related occupations	491	40.4
Service occupations	134	11
Sales and office occupations	302	24.9
Farming, fishing, and forestry occupations	16	1.3
Construction, extraction, and maintenance occupations	167	13.8
Production, transportation, and material moving occupations	104	8.6
INDUSTRY		
Agriculture, forestry, fishing and hunting, and mining	35	2.9
Construction	140	11.5
Manufacturing	124	10.2
Wholesale trade	44	3.6
Retail trade	152	12.5
Transportation and warehousing, and utilities	76	6.3
Information	24	2
Finance, insurance, real estate, and rental and leasing	131	10.8
Professional, scientific, management, administrative, and	91	7.5

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	Number	Percent
waste management services		
Educational, health and social services	216	17.8
Arts, entertainment, recreation, accommodation and food services	62	5.1
Other services (except public administration)	37	3
Public administration	82	6.8
CLASS OF WORKER		
Private wage and salary workers	957	78.8
Government workers	161	13.3
Self-employed workers in own not incorporated business	90	7.4
Unpaid family workers	6	0.5
MEDIAN EARNINGS		
Male full-time, year-round workers	\$61,307	–
Female full-time, year-round workers	\$38,816	–

Source: US Census 2000, Summary File 3 (SF3)

Employment Outlook

The New Jersey Transportation Planning Authority (NJTPA) has completed employment projections for 2005 – 2030 for Lafayette Township. NJTPA projects that the number of jobs in Lafayette Township will increase by 660 from 1,140 jobs in 2005 to 1,800 jobs in 2030.

FAIR SHARE OBLIGATION

This section includes a determination of the Township's present and prospective fair share for low and moderate income housing, and with that, an analysis of how the Township will accommodate its fair share.

Rehabilitation Share

The rehabilitation share is the number of existing housing units in a municipality as of April 1, 2000 that are both deficient and occupied by households of low or moderate income. As indicated in N.J.A.C. 5:97-1 et seq. Appendix B, Lafayette's rehabilitation share is 3 units.

Prior Round Obligation

As indicated in N.J.A.C. 5:97-1 et seq. Appendix C, the prior round housing obligation for Lafayette is 27 units.

Growth Share Obligation

The growth share obligation is initially calculated based on projections. The projections are based on New Jersey Department of Labor and Workforce Development county projections, which are allocated to the municipal level based on historical trends for each municipality and the extent to which each municipality approaches its physical growth capacity. The projections of household and employment growth are converted into projected growth share affordable housing obligations by applying a ratio of one (1) affordable unit among five (5) residential units projected, plus one (1)

affordable unit for every 16 newly created jobs projected. Based on the household and employment projections for Lafayette indicated in the table COAH prepared entitled "Total Projected Growth Share, proposed 6/16/08", and before accounting for exclusions as per NJAC 5:97-2.5, the Township's projected growth share obligation is 96 affordable units (see Table 17 below).

Table 17
COAH 2004-2018 Projections and Growth Share Obligation,
Lafayette Township (Sussex County)

COAH 2004-2018 Projections	Ratio	Growth Share Obligation (in affordable units)
186 units	1 affordable unit per 5 residential units	37
948 jobs	1 affordable unit per 16 jobs	59
Total		96

Source: COAH's table entitled "Rehabilitation Share, Prior Round Obligation & Growth Projections based on amendments to NJAC 5:97 adopted September 22, 2008."

Lafayette may subtract exclusions under NJAC 5:97-2.4(a)1 and NJAC 5:97-2.4(b)1 from their household and employment projections. See Exhibit A for this calculation. After accounting for the allowable exclusions, the Township's total growth share obligation is 94 units (see Table 18):

Table 18
Growth Share Obligation
Lafayette Township (Sussex County)

Residential Growth Share	Plus	Non-Residential Growth Share	Total Growth Share
35.2	+	59.25	94

Analysis of Existing Conditions

The Township's existing and future conditions in terms of infrastructure, land uses, economic development policies, and environmental constraints must be considered first as a basis for the Township's plan to accommodate its fair share.

Infrastructure

As indicated in the Sussex County Wastewater Management Plan (under review by NJDEP currently), only one (1) parcel within the total 4,514 acres of unconstrained, developable land in the Township is **within** a Sewer Service Area. The remaining land is outside a Sewer Service Area. All of the parcels are either in Planning Area 4 or Planning Area 5. The Township is limited in its response to fulfill its growth share obligation based on lack of sewer and water infrastructure.

Land Uses

Lafayette Township is a rural community in Planning Areas 4 and 5 with less than 5% served by public water and sewer and no planned extension of these areas. Despite the fact that the State labeled it a "Highlands Growth Area," it does not, at this time, plan to designate a Town Center or lose its historic rural character. In fact, in 2007, Lafayette initiated the application process for Historic District Designation for the downtown commercial area.

Economic Development Policy

The non-residential growth projected in the proposed Third Round Rules contradicts Lafayette's local planning strategy, is grossly inaccurate and overestimates Lafayette's projected non-residential growth. In the original Third Round Rules, non-residential growth in this rural community was projected to be 190 new jobs. Under the amended rules, the projected non-residential growth for Lafayette was first projected to be 1,441 new jobs, now reduced to 948 new jobs. The significant projected jobs increase from the original third round rules needs justification. It is also unclear how the projection of 1,441 jobs decreased by 493 jobs to the current 948 jobs. This type of divergence in the projections does not instill confidence that the projections are accurate or fair.

In fact, an analytical report prepared by CMX Engineering found that based on the 10-year historic building trends only 323 jobs would likely be created in Lafayette Township by 2018. The report also indicates that only 120 new housing units will develop.

Environmental Constraints

All of the developable parcels are either in Planning Area 4 or Planning Area 5. The Township is also limited in its response to fulfill its growth share obligation based on lack of sewer and water infrastructure.

FAIR SHARE PLAN

The following provides a plan indicating how the Township will meet its fair share obligation.

Rehabilitation Share

Lafayette Township must rehabilitate the homes of three (3) low or moderate income households. The Township will create a housing rehabilitation program to be administered by a consultant. The purpose of the program is to bring dwellings, including owner-occupied and rental units, up to local and state rehabilitation codes. The maximum loan amount will be \$12,000 with additional funding (up to \$20,000 per unit) to correct failing septic systems. All funding under this program will be in the form of a ten-year deferred loan.

Prior Round Obligation

Lafayette Township will satisfy its 27-unit Prior Round Recalculated component with 17 credits from group homes and ten credits from the Advanced Housing affordable housing project.

Group Homes:

The township is requesting the following group home credits:

1. Three (3) bedrooms in The Willow Glen group home for developmentally disabled adults located at 61 Beaver Run Road that generates three (3) rental bonus credits. This facility received its Certificate of Occupancy in 1992. It is licensed and funded by the New Jersey department of Human Services, Division of Developmental Disabilities, and is deed restricted in accordance with State requirements. A completed survey has been sent to COAH under separate cover. **[3 very low income rental credits + 3 rental bonuses]**

2. Four (4) bedrooms in The Willow Glen group home for developmentally disabled adults located at 84 Valley View. It received a Certificate of Occupancy in 1999. It is licensed and funded by the New Jersey Department of Human Services, Division of Developmental Disabilities, and is deed restricted in accordance with State requirements. A completed survey on this facility has been forwarded to COAH under separate cover. **[4 very low income rental credits + 4 rental bonuses]**

3. Three (3) bedrooms in a Sussex County Association for Retarded Citizens (SCARC) group home located at 210 Pelletown Road. The SCARC facility received its Certificate of Occupancy in 1991. It is licensed and funded by the New Jersey Department of Human Services, Division of Developmental Disabilities and thus "deed restricted" through its funding agreements in accordance with State requirements.
[3 very low income rental credits]

4. **Woodland Farms of Lafayette:** The Township is requesting ten (10) credits for supportive apartments for special needs residents in a 100 percent affordable project to be built by SEED (formerly Advance Housing). SEED is working in partnership with Monarch Housing Associates, a nonprofit housing development consultant for the project. SEED has already purchased the property and a spring 2009 ground breaking is planned. This project is planned as twenty units for people with special needs. The remaining 10 units will be used to help satisfy Lafayette's Growth Share Obligation. A complete binder including a project narrative, development budget, operating proforma and funding sources was sent to COAH in 2005 and a copy is available for review at the Lafayette Township Clerk's office. **[10 very low income rental credits]**

Woodland Farms will be a flagship project for the development of affordable housing in New Jersey.

- The development will highlight the way that municipalities and non-profits can work together in public-private partnerships to successfully address local housing needs.
- The development will be a model of how communities can create high-quality, affordable housing that blends seamlessly into their rural character.
- The development will be designed and constructed to incorporate "green" technologies that promote energy conservation, the use of environmentally friendly building materials and a healthful living environment for residents.

SEED has executed a contract with the property owner, High Point Group, LLC to purchase a 4.26 acre parcel for \$875,000. The site is located at 10 Route 94 South. The parcel that SEED is purchasing will be subdivided from a 14.67 acre site identified as the Demarest Farm at Block 32, Lot 21 on the Lafayette tax map. The property currently contains a golf driving range that is located in both Lafayette and Sparta. The entire tract is triangular in shape with frontage on both North Church Road (Route 94) and Old Beaver Run Road.

The development will be designed to resemble a farm by utilizing the existing barn on the site. The barn will be developed into 10 one-bedroom units (6 accessible) and a second newly constructed building will house an additional 10 accessible one-bedroom units. Every unit will have its own kitchen, bathroom, eating area and living area. The development will include amenities found in market-rate rental housing such as modern appliances, wall-to-wall carpet or hardwood floors, window blinds, ample closet space, security features, and hardwiring for cable TV and internet access. The development will include on-site parking, a property management office, common laundry facilities, a multi-purpose room, and maintenance storage space. Neither of the buildings is required to have an elevator.

Due to septic and well limitations, occupancy must be limited to one resident per apartment and one building per lot.

Sussex County has confirmed that the septic system as proposed is acceptable. In terms of storm water management, High Point, LLC has assured SEED and the township that the storm water needs of the tract will be addressed through the stormwater system designed for the three lot subdivision.

This proposed site is located in Planning Area 4B, as is most of Lafayette Township. The Township does not wish to install a sanitary sewer system to serve a State designated center. The SEED site is contiguous to a project called the Lafayette Township Gateway Plan, which will function as a village. The Lafayette Township Gateway Plan will develop the Route 15/Route 94 corridor in a manner that complements the existing village.

It is anticipated that Woodland Farms of Lafayette will be financed through a combination of equity, grants, and loans from the Enterprise Social Investment Corporation, a national syndicator of low income housing tax credits, the New Jersey Department of Community Affairs; the New Jersey Housing Mortgage Finance Agency; New Jersey Community Capital; and the Corporation for Supportive Housing.

Lafayette Township's role will include:

- Contributing \$125,000 from its Affordable Housing Trust Fund.
- Approve rezoning the property for multi-family affordable housing (*Done)
- Approve the site plan upon presentation of an acceptable site plan
- Negotiate a Payment in Lieu of Taxes with SEED.
- Approve an application to the State for Small Cities Community Development Block Grant Funding and/or HOME funding.
- Approve resolutions to accept other state funding

An analysis of site suitability in accordance with COAH criteria at N.J.A.C. 5:94-4.5 has been completed as follows:

- This proposed site is located in the Rural / Environmental Sensitive State Planning Area 4B. As indicated within N.J.A.C. 5:94-4.5(a)2, municipalities or developers proposing sites located in Planning Areas 3, 4, 4B, 5 or 5B that are not within a designated center shall have the burden of demonstrating to the Council that the site is consistent with sound planning principles and the goals, policies and objectives of the State Development and Redevelopment Plan (SDRP).
- The site maintains frontage on North Church Road (Route 94) and Old Beaver Run Road.

- The design of the 100 percent affordable development will be in conformance with the design guidelines in the State Development and Redevelopment Plan.
- The units will be administered in accordance with the UHAC or will use the waiting list of the licensing state agency.
- Environmental Information:
 - Per NJDEP – Freshwater wetlands appear to be located along the northwestern edge of the site. A field inspection is necessary to confirm the presence of wetlands.
 - Per FEMA – Flood Insurance Rate Map Community – Panel Number 3405320006D- The subject site is depicted as being located within the Zone X non-flood area (areas determined to be outside 500-year floodplain).
 - Per NJDEP – iMapNJ online (Landscape Project Mapping for Threatened and Endangered (T&E) Species) – Critical habitat for the state-threatened wood turtle is located in the southern portion of the site. NJDEP – Landscape Project mapping was developed especially for land-use decision makers, i.e. municipal and county planners and local planning boards, state agencies, natural resource and lands managers, etc. The Critical Habitat Map can provide a basis for zoning decisions and land acquisition projects.
 - Per NJDEP – iMapNJ online mapping, the site is not located within 300-feet of a currently designated Category One water body.
 - The site is not located within an Existing Sewer Service Area. Each lot will be served by its own well and septic systems.
 - Steep slopes in excess of 15 percent are located on the site. The property does contain some steep slopes and is partially constrained by wetlands and their transition areas, however, these are located only along the northerly property line, abutting Old Beaver Run Road. The concept plan presented by SEED indicates that the two proposed buildings would be located close to North Church Road, away from the environmentally sensitive areas. The property would have access through a twenty-four (24) foot wide driveway along North Church Road. This is an existing driveway that provides access to the driving range.
 - Historically or architecturally important sites listed on the State or National Register of Historic Places are not located on the site.

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Table 19
Parameters for Prior Round Obligation
Lafayette Township (Sussex County)

	Affordable Units
Prior Round Obligation	27
Min. Rental Requirement	7
Max. Rental Bonus	7
Max. Age-Restricted	6
Max. Age-Restricted Rental Bonus	3

Table 20
Satisfaction of Prior Round Obligation
Lafayette Township (Sussex County)

CREDITS	Satisfaction of Prior Round Obligation				Citation for Bonuses
	Project Type	Credits	Bonus (see Citation for Bonuses)	Total	
Supportive Housing	10 group home non-age restricted low income rentals	10	7	17	(NJAC 5:97-3.5) : 2 units of credit for 7 rental units
Woodland Farms*	10 supportive housing apartments	10	0	10	Notes: 10 units carried forward to Third Round
Total				27	

Growth Share Obligation 2004-2018

The Council On Affordable Housing projects that Lafayette Township's Third Round Growth Share Obligation is 96 affordable units. This includes 37.20 units from residential growth and 59.25 units from non-residential growth. However, COAH allows a municipality to deduct units that receive Certificate of Occupancy after January 1, 2004 and were used to satisfy a Second Round Obligation from its Third Round growth projections. Therefore, Lafayette can deduct 10 residential units from its total residential growth projection for the Woodland Farms project, leaving a 94 unit affordable housing balance. (See Worksheet A in the Appendix)

The following Tables show the amount of residential and non-residential growth that has occurred in the Township as reflected in the Construction Reports in October 2008. Lafayette Township has accrued a growth share of only 8 units to date. This includes 5.5 units from residential growth and

Township of Lafayette, Sussex County
Master Plan Housing Element and
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2.4 units from non-residential growth. The ten (10) affordable units in the Woodland Farms project more than satisfy the Township's growth share obligation to date.

Lafayette's Growth Share to date is 8 units

Table 21
Residential Growth Share

Year	Residential Certificates of Occupancy (units)	Growth Share 25% of Market Rate
2004	10	
2005	4	
2006	8	
2007	0	
2008 (Through May)	0	
Total	22	5.5

Table 22
Non-Residential Growth Share

	Office	Retail	A-3	A-4	Storage	Total jobs	Growth Share : 1 unit for 16 jobs
Year							
2004	0	15,000	5,605	0	3,830		
2005	0	0	0	0	0		
2006	0	0	0	0	0		
2007	0	0	0	0	0		
2008 (through May)							
	0	0	0	0	0		
Subtotal	0	15,000	5,605	0	3,830		
UCC Multiplier (jobs per 1,000 SF)							
	2.8	1.7	1.6	3.4	1.0		
Sub-total Jobs	0	25.5	8.96	0	3.88	38.34	2.4 units

Total Growth Share to date = 5.5 units plus 2.4 units = 7.9 units rounded up to 8 units.
 Total Growth Share Units Provided to date: 15 units

Satisfying the Growth Share Component

The Township will satisfy its 96-unit growth share component with 10 units in the SEED 100 percent affordable project described previously, another non-age restricted group home for the developmentally disabled that will be built by the Sussex County Association for Retarded Citizens (SCARC), a 9 family-unit accessory apartment program, and a Fair Share Inclusionary Zoning Ordinance.

1. The Township requests ten (10) credits from Woodland Farms which is the SEED 100 percent affordable housing project to help satisfy its 96 unit affordable housing obligation. The 10 units will also help satisfy the Township's 24 unit rental obligation and its 14 unit very low income housing obligation. **[10 very low income rental credits]**

2. The Township is requesting rental credits for a 5 bedroom group home currently under construction by the Sussex County Association for Retarded Citizens. A map of the site is included in the Appendix. These 5 very low income rental units plus the 10 very low income rental units in the SEED site help satisfy the Township's 24 unit rental obligation. The combination also satisfies the Township's 14 unit very low income housing obligation. **[5 very low income rentals]**

On April 19, 2006, Lafayette Township passed Resolution 2006-18 subdividing Township owned property at Block 9, Lot 13.01 into two parcels. The resolution also agrees to sell one of the parcels, a 2.5 acre site identified as Parcel 1, to SCARC. The sales price for the property is \$1.00. The Township Council approved the contract for Sale of Real Estate to SCARC at its October 3, 2006 Council meeting. The Contract of Sale is included in the Appendix.

SCARC received 2007 Fund Reservation Award from the U.S. Department of Housing and Urban Development. Lafayette plans to negotiate a Payment in Lieu of Taxes and approve any resolutions necessary for SCARC to obtain other State funding.

An analysis of site suitability in accordance with COAH criteria at N.J.A.C. 5:94-4.5 has been completed as follows:

- The site is located in the Rural / Environmental Sensitive State Planning Area 4B. As indicated within N.J.A.C. 5:94-4.5(a)2, municipalities or developers proposing sites located in Planning Areas 3, 4, 4B, 5 or 5B that are not within a designated center shall have the burden of demonstrating to the Council that the site is consistent with sound planning principles and the goals, policies and objectives of the State Development and Redevelopment Plan (SDRP).
- The site has access to an improved public street (Warbasse Junction Road).
- The design of the 100 percent affordable project will be in conformance with the design guidelines in the State Development and Redevelopment Plan.

- The units will be administered in accordance with the UHAC or will be rented from the waiting list of the licensing state agency.
- Environmental Information:
 - Per NJDEP – Freshwater wetlands are not depicted on the site.
 - Per FEMA – Flood Insurance Rate Map Community – Panel Number 3405320006D-The site is depicted as being located within the Zone X non-flood area (areas determined to be outside 500-year floodplain).
 - Per NJDEP – iMapNJ online (Landscape Project Mapping for Threatened and Endangered (T&E) Species) – Critical habitat for the state-threatened wood turtle is located in the southern portion of the site. NJDEP – Landscape Project mapping was developed especially for land-use decision makers, i.e. municipal and county planners and local planning boards, state agencies, natural resource and lands managers, etc. The Critical Habitat Map can provide a basis for zoning decisions and land acquisition projects.
 - Per NJDEP – iMapNJ online mapping, the site is located within 300 feet of a currently designated Category One water body (Trout Brook). Only a small portion of the easterly corner of this property is located within 300 feet of a designated Category One water body. This portion measures approximately 4,700 square feet. The attached map shows the 300 feet buffer area.
 - The site is not located within an Existing Sewer Service Area.
 - Slopes in excess of 15 percent are located on the site. The USGS Topography map does not show steep slopes on this property. However this data is not accurate as it shows intervals at twenty (20) feet. The US Department of Agriculture's Soil Survey Data shows 3 to 8 percent slopes on the northern portion of the property and 15 to 30 percent slopes on the southern portion of the property. Therefore, the northern portion of the property can be used for group homes. The attached map indicates the areas with moderate and steep slopes.
 - Historically or architecturally important sites listed on the State or National Register of Historic Places are not located on the site.

Accessory Apartment Program [9 family rental units]

The Township will adopt an accessory apartment ordinance that will allow the development of 9 accessory apartments affordable to low and moderate income renters. Lafayette will provide a subsidy of \$20,000 per unit to create each moderate-income accessory apartment and \$25,000 per unit to create each low income accessory apartment. All units shall comply with NJAC 5:97-9 and UHAC with the following exceptions:

1. Control periods for accessory apartments will have 10-year controls on affordability
2. Bedroom distributions will not apply, however, the ordinance shall not restrict the number of bedrooms per unit.
3. Accessory apartments are exempt from the requirement that at least 50 percent of the units shall be affordable to households earning 50 percent or less of area median income.

4. Accessory apartments are exempt from affordability averages set forth in UHAC. However, the maximum rent for a moderate income unit shall be affordable to households earning no more than 60 percent of median income and the maximum rent for a low-income unit shall be affordable to households earning no more than 44 percent of median income.

Fair Share Inclusionary Ordinance

The Township will repeal its current Growth Share Ordinance and replace it with a new Fair Share Inclusionary Ordinance that meets COAH's minimum presumptive densities and maximum presumptive set-asides for Planning Areas 3, 4, and 5 that are outside sewer service areas and not within a center. Any future growth share generated by the development of market rate residential units shall be automatically satisfied by the developer or shall be satisfied by a non-profit developer funded by *in lieu* contributions. Affordable units built in excess of 1 affordable unit among 5 market rate units will help satisfy non-residentially generated growth share. In addition, the 2.5% fee charged to non-residential developers will be used to help fund future growth share generated from non-residential development. Priority will be given to the development of 39 units of family housing to enable the Township to satisfy the remainder of its 48 unit family housing quota. (Nine family rental units will be provided through the Accessory Apartment Program.)

A summary of the Township's growth share obligation is presented in Table 23 below. The following parameters are applicable to the Township's prior round obligation:

Table 23
Parameters for Growth Share Obligation
Lafayette Township (Sussex County)

	Affordable Units
Growth Share Obligation	96
Min. Family Housing Requirement	48
Min. Rental Requirement	24
Min. Family Rental Units	12
Max. Rental Bonus	Unlimited once the rental requirement is met
Max. Age-Restricted	24
Min. Very Low-Income	14

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Table 24
Satisfaction of Growth Share Obligation
Lafayette Township (Sussex County)

CREDITS	Satisfaction of Growth Share Obligation				Citation for Bonuses
	Project Type	Credits	Bonus (see Citation for Bonuses)	Total	
Woodland Farms Supportive Housing Project	10 non-age restricted very low income rentals	10		10	
SCARC Group Home	5 non-age restricted very low income rentals	5		5	
Accessory Apartment Program	9 low/mod family rentals	9		9	
Credits for post-2004 Second Round Units		2		2	See Workbook A in Appendix
Fair Share Inclusionary Zoning Ordinance				70	
Total				96	

Appendix

Workbook A: Growth Share Determination Using Published Data

(Using Appendix F(2), *Allocating Growth To Municipalities*)

COAH Growth Projections

Must be used in all submissions

Municipality Name:

Lafayette Township

Enter the COAH generated growth projections from Appendix F(2) found at the back of N.J.A.C. 5:97-1 et seq. on Line 1 of this worksheet. Use the Tab at the bottom of this page to toggle to the exclusions portion of this worksheet. After entering all relevant exclusions, toggle back to this page to view the growth share obligation that has been calculated. Use these figures in the Application for Substantive Certification.

	Residential	Non-Residential
1 Enter Growth Projections From Appendix F(2) *	186	948
2 Subtract the following Residential Exclusions pursuant to 5:97-2.4(a) from "Exclusions" tab	Click Here to enter Prior Round Exclusions	
built or projected to be built post 1/1/04		
Inclusionary Development	0	
Supportive/Special Needs Housing	10	
Accessory Apartments	0	
Municipally Sponsored or 100% Affordable	0	
Assisted Living	0	
Other	0	
Market Units in Prior Round Inclusionary development built post 1/1/04	0	
3 Subtract the following Non-Residential Exclusions (5:97-2.4(b))		
Affordable units	0	
Associated Jobs		0
4 Net Growth Projection	176	948
5 Projected Growth Share (Conversion to Affordable Units Dividing Households by 5 and Jobs by 16)	35.20 Affordable Units	59.25 Affordable Units
6 Total Projected Growth Share Obligation		94 Affordable Units

* For residential growth, see Appendix F(2), Figure A.1, Housing Units by Municipality. For non-residential growth, see Appendix F(2), Figure A.2, Employment by Municipality.

Affordable and Market-Rate Units Excluded from Growth

Municipality Name:

Lafayette Township

Prior Round Affordable Units NOT included in Inclusionary Developments Built post 1/1/04

Development Type	Number of COs Issued and/or Projected
Supportive/Special Needs Housing	10
Accessory Apartments	
Municipally Sponsored and 100% Affordable	
Assisted Living	
Other	
Total	10

Market and Affordable Units in Prior Round Inclusionary Development Built post 1/1/04

N.J.A.C. 5:97-2.4(a)

(Enter Y for yes in Rental column if rental units resulted from N.J.A.C. 5:93-5.15(c)5 incentives)

Development Name	Rentals? (Y/N)	Total Units	Market Units	Affordable Units	Market Units Excluded
		0			0
		0			0
		0			0
		0			0
		0			0
Total		0	0	0	0

Jobs and Affordable Units Built as a result of post 1/1/04 Non-Residential Development N.J.A.C. 5:97-2.4(b)

Development Name	Affordable Units Provided	Permitted Jobs Exclusion
		0
		0
		0
		0
Total	0	0

[Return To Workbook A Summary](#)

TOWNSHIP OF LAFAYETTE

ORDINANCE NO. ____

AN ACCESSORY APARTMENT ORDINANCE TO FACILITATE THE NEW JERSEY
COUNCIL ON AFFORDABLE HOUSING REVISED ROUND THREE GROWTH
SHARE RULES IN CONNECTION WITH RESIDENTIAL AND NON-RESIDENTIAL
DEVELOPMENT

—

WHEREAS, the New Jersey Supreme Court and New Jersey Legislature have recognized in So. Burlington Co. NAACP v. Mount Laurel, 67 N.J. 151 (1975) (“Mount Laurel I”); So. Burlington Co. NAACP v. Mount Laurel, 92 N.J. 158 (1983) (“Mount Laurel II”) and the Fair Housing Act, N.J.S.A. 52:27D-301 et seq. (“FHA”) that New Jersey municipalities have responsibilities concerning the need to provide affordable housing for low- and moderate-income households; and

WHEREAS, the Legislature conferred upon the New Jersey Council on Affordable Housing (“COAH”) “primary jurisdiction for the administration of housing obligations in accordance with sound regional planning considerations in this State.” (N.J.S.A. 52:27D-304 (a)); and

WHEREAS, in Mount Laurel II, the New Jersey Supreme Court ruled that municipalities had the power to address the Mount Laurel responsibilities that the Court had created through “inclusionary devices” and rejected the notion “that inclusionary measures amount to a taking without compensation.” (see Mount Laurel II at 271); and

WHEREAS, in Mount Laurel II, the New Jersey Supreme Court also stated, “[z]oning does not require that land be used for maximum profitability and, on occasion, the goals may require something less.” (see Mount Laurel II at 274 n. 34); and

WHEREAS, COAH promulgated regulations governing the municipal fair-share obligation during 1987 to 1993 (Round One); 1993 to 1999 (Round Two); and 1999 to 2014 (Round Three); and

WHEREAS, COAH delayed promulgation of its Round Three regulations until December 2004, which regulations introduced the concept of “growth share,” a

methodology requiring that each municipality's provision of affordable housing coincide with its obligation generated by actual residential and non-residential growth, rather than assigning a specific numerical obligation to the Township of Lafayette as had occurred with the regulations pertaining to the prior rounds; and

WHEREAS, the Round Three regulations were challenged by various parties and they were invalidated, in part, by the Appellate Division in In Re Adoption of N.J.A.C. 5:94 and 5:95 by the New Jersey Council on Affordable Housing, 390 N.J. Super. 1 (App. Div.), certif. denied. 192 N.J. 72 (2007); and

WHEREAS, on May 6, 2008, COAH voted to adopt revised Round Three regulations in response to the Appellate Division's decision, In Re Adoption of N.J.A.C. 5:94 and 5:95 by the New Jersey Council on Affordable Housing, 390 N.J. Super. 1 (App. Div.), certif. denied. 192 N.J. 72 (2007); and

WHEREAS, the revised Round Three regulations are effective June 2, 2008; and

WHEREAS, the revised Round Three regulations, as adopted, increase housing need statewide for low- and moderate-income households from 52,000 units (under the prior Round Three regulations from 1999 to 2014) to 115,000 (under the revised Round Three regulations from 1999 to 2018) and, *inter alia*, require residential developers to construct one (1) affordable housing unit for every four (4) market-rate residential units projected to be constructed (N.J.A.C. 5:94-2.4 (a)(2)); and

WHEREAS, COAH projects Lafayette Township's Growth Share obligation to be 96 units of affordable housing; and

WHEREAS, COAH allows ten percent of a municipal housing obligation to be satisfied with credits for Accessory Apartments;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lafayette , County of Sussex, State of New Jersey as follows:

Section 1. Accessory Apartments

A. Purpose. The purpose of this Ordinance is to facilitate the provision of affordable housing in connection with residential and mixed-use development in compliance with the requirements of statutory law and COAH's Revised Round Three Rules, as same may be amended from time to time.

Notwithstanding any provision of the Land Development Ordinance to the contrary, affordable accessory apartments shall be permitted in all residential and mixed-use zoning districts. The affordable accessory apartment shall be located within a detached single-family dwelling, as an addition to a detached single family dwelling, above a garage or other suitable structure on the premises, and on the upper floors of retail/commercial structures provided the lot meets the Schedule of Area and Bulk Regulations as specified for the zoning district within which it is located.

B. Definitions.

- (1) Accessory apartment shall be defined as a self-contained residential dwelling unit with a kitchen, complete sanitary facilities, sleeping quarters and a private entrance which is created to be occupied by a low or moderate income household in accordance with the applicable provisions of the substantive rules of the New Jersey Council on Affordable Housing (COAH) as stated in NJAC 5:97-1 et.seq.
- (2) "Affordable" shall have the same meaning as that provided by the rules promulgated pursuant to the FHA, as same may be amended from time to time.
- (3) Any references to "affordable housing unit(s)" shall mean residential unit(s) affordable to low- or moderate-income households, as those terms are defined herein.
- (4) "Household" shall have the same meaning as that provided by the rules promulgated pursuant to the FHA, as same may be amended from time to time.
- (5) "Low-income" shall have the same meaning as that provided by the rules promulgated pursuant to the FHA, as same may be amended from time to time.
- (6) "Mixed use development" shall have the same meaning as that provided by the Statewide Non-residential Development Fee Act, N.J.S.A. 40:55D-8.1 through 8.7, as same may be amended from time to time.
- (7) "Moderate-income" shall have the same meaning as that provided by the rules promulgated pursuant to the FHA, as same may be amended

from time to time.

- (8) "Non-residential development" shall have the same meaning as that provided by the Statewide Non-residential Development Fee Act, N.J.S.A. 40:55D-8.1 through 8.7, as same may be amended from time to time.

C. Conditions.

- (1) All affordable accessory apartments shall comply with all applicable statutes and regulations of the State of New Jersey in addition to all local building codes.
- (2) The affordable accessory apartment shall be rented only to a household which is either a low- or a moderate-income household at the time of initial occupancy of the unit. However, accessory apartments are exempt from the requirement that at least 50 percent of the units shall be affordable to households earning 50 percent or less of area median income.
- (3) The affordable accessory apartment shall, for a period of at least 10 years from the date of the issuance of a certificate of occupancy, be rented only to low- or moderate-income households.
- (4) Accessory apartments are exempt from affordability averages set forth in UHAC. However, the maximum rent for a moderate income unit shall be affordable to households earning no more than 60 percent of median income and the maximum rent for a low-income unit shall be affordable to households earning no more than 44 percent of median income and shall specifically include an allowance for utilities in accordance with said rules.
- (5) The maximum number of affordable accessory apartments to be developed in the borough under the provisions of this ordinance shall be 9.
- (6) Bedroom distributions will not apply, however, the ordinance shall not restrict the number of bedrooms per unit.
- (7) There shall be a recorded deed or declaration of covenants and restrictions applied to the property upon which the affordable accessory apartment is located running with the land and limiting its subsequent rental or sale within the requirements of Subsections C and D herein above.
- (8) The Township will provide a subsidy of \$20,000 per unit to create each moderate-income accessory apartment and \$25,000 per unit to create each low income accessory

apartment.

D. Administration of the affordable accessory apartment program.

(1) The Committee of the Township of Lafayette shall designate an administrator of the affordable accessory apartment program in accordance with the following:

(2) The administrator shall be responsible for all administrative aspects of the affordable accessory apartment program, including advertising, income qualifying prospective renters, setting rents and annual rental increases, maintaining a waiting list, distributing the subsidy, securing certificates of occupancy, qualifying properties, handling application forms, filing deed restrictions, monitoring reports and affirmative marketing.

(3) The administrator shall only deny an application for an affordable accessory apartment if the project is not in conformance with COAH's requirements and/or provisions of this ordinance. All denials shall be in writing with the reasons clearly stated.

(4) In accordance with N.J.A.C. 5:97-1 et.seq., the Township of Lafayette shall provide at least \$20,000 to subsidize physical creation of a moderate income accessory apartment and \$25,000 to subsidize physical creation of a low income accessory apartment conforming to the requirements of this section. Prior to the grant of such subsidy, the property owner shall enter into a written agreement with the Township of Lafayette ensuring that the subsidy shall be used to create the accessory apartment and the apartment shall meet the requirements of this ordinance and COAH regulations. Funding will be provided through the Township's Affordable Housing Trust Fund.

E. Application procedures. Each application for the creation of an affordable accessory apartment shall submit the following information to the administrator:

(1) A sketch of floor plan(s) showing the location, size and relationship of both the affordable accessory apartment and the primary dwelling within the building.

(2) Rough elevations showing the modification of any exterior building facade to which changes are proposed.

(3) A site development sketch showing the location of the existing dwelling and other existing buildings; all property lines; along with the minimum building setback lines, the required parking spaces for both dwelling units; and any natural or man-made condition which might affect construction.

Section 2. Schedule.

The Accessory Apartment Program will be implemented when market rate residential and non-residential development pushes the growth share beyond the 15 units provided by SCARC and Woodland Farms.

Section 3. Codification. This Ordinance may be renumbered for codification purposes.

Section 4. Severability. All Ordinances and parts of Ordinances inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent. If any section, paragraph, subparagraph, sentence, clause, or phrase of this Ordinance shall be held to be invalid by any court, such decision shall not invalidate any remaining portion of this Ordinance.

Section 5. Effective Date. This Ordinance shall take effect upon passage and publication as soon as practicable and in the manner provided by law.

I hereby certify that this Ordinance was duly adopted by the Township Committee of the Township of Lafayette at a meeting of said Township Committee held on _____, 2008

Anna Rose Fedish, Municipal Clerk of the Township of Lafayette

I hereby approve this Ordinance.

Mayor Richard Hughes

ROLL CALL VOTE

MAYOR & COUNCIL	YES	N O	ABSTAIN	ABSENT
Committeeman Corcoran				
Committeeman Bruning				
Committeeman D'Angeli				
Committeeman Sweeney				

TOWNSHIP OF LAFAYETTE

ORDINANCE NO. ____

A FAIR SHARE INCLUSIONARY ZONING ORDINANCE TO FACILITATE THE NEW
JERSEY COUNCIL ON AFFORDABLE HOUSING REVISED ROUND THREE
GROWTH SHARE RULES IN CONNECTION WITH RESIDENTIAL AND NON-
RESIDENTIAL DEVELOPMENT

—

WHEREAS, the New Jersey Supreme Court and New Jersey Legislature have recognized in So. Burlington Co. NAACP v. Mount Laurel, 67 N.J. 151 (1975) (“Mount Laurel I”); So. Burlington Co. NAACP v. Mount Laurel, 92 N.J. 158 (1983) (“Mount Laurel II”) and the Fair Housing Act, N.J.S.A. 52:27D-301 et seq. (“FHA”) that New Jersey municipalities have responsibilities concerning the need to provide affordable housing for low- and moderate-income households; and

WHEREAS, the Legislature conferred upon the New Jersey Council on Affordable Housing (“COAH”) “primary jurisdiction for the administration of housing obligations in accordance with sound regional planning considerations in this State.” (N.J.S.A. 52:27D-304 (a)); and

WHEREAS, in Mount Laurel II, the New Jersey Supreme Court ruled that municipalities had the power to address the Mount Laurel responsibilities that the Court had created through “inclusionary devices” and rejected the notion “that inclusionary measures amount to a taking without compensation.” (see Mount Laurel II at 271); and

WHEREAS, in Mount Laurel II, the New Jersey Supreme Court also stated, “[z]oning does not require that land be used for maximum profitability and, on occasion, the goals may require something less.” (see Mount Laurel II at 274 n. 34); and

WHEREAS, COAH promulgated regulations governing the municipal fair-share obligation during 1987 to 1993 (Round One); 1993 to 1999 (Round Two); and 1999 to 2014 (Round Three); and

WHEREAS, COAH delayed promulgation of its Round Three regulations until December 2004, which regulations introduced the concept of “growth share,” a

methodology requiring that each municipality's provision of affordable housing coincide with its obligation generated by actual residential and non-residential growth, rather than assigning a specific numerical obligation to the Township of Lafayette as had occurred with the regulations pertaining to the prior rounds; and

WHEREAS, the Round Three regulations were challenged by various parties and they were invalidated, in part, by the Appellate Division in In Re Adoption of N.J.A.C. 5:94 and 5:95 by the New Jersey Council on Affordable Housing, 390 N.J. Super. 1 (App. Div.), certif. denied. 192 N.J. 72 (2007); and

WHEREAS, on May 6, 2008, COAH voted to adopt revised Round Three regulations in response to the Appellate Division's decision, In Re Adoption of N.J.A.C. 5:94 and 5:95 by the New Jersey Council on Affordable Housing, 390 N.J. Super. 1 (App. Div.), certif. denied. 192 N.J. 72 (2007); and

WHEREAS, the revised Round Three regulations are effective June 2, 2008; and

WHEREAS, the revised Round Three regulations, as adopted, increase housing need statewide for low- and moderate-income households from 52,000 units (under the prior Round Three regulations from 1999 to 2014) to 115,000 (under the revised Round Three regulations from 1999 to 2018) and, *inter alia*, require residential developers to construct one (1) affordable housing unit for every four (4) market-rate residential units projected to be constructed (N.J.A.C. 5:94-2.4 (a)(2)); and

WHEREAS, on July 17, 2008, Governor Corzine signed the "Statewide Non-residential Development Fee Act," P.L. 2008, c.46, into law; and

WHEREAS, the Statewide Non-residential Development Fee Act generally precludes municipalities from imposing affordable housing requirements on non-residential developers and instead requires the uniform assessment of a development fee in the amount of two and one-half percent (2.5%) of equalized assessed value; and

WHEREAS, the Township of Lafayette wishes to ensure that as developers build residential and non-residential projects, they address affordable housing in a manner consistent with statutory law, COAH's regulations and policies described above, policies soundly rooted in New Jersey Supreme Court precedent;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lafayette, County of Sussex, State of New Jersey as follows:

Section 1. Affordable Housing.

- A. Purpose. The purpose of this Ordinance is to facilitate the provision of affordable housing in connection with residential and non-residential development in compliance with the requirements of statutory law and COAH's Revised Round Three Rules, as same may be amended from time to time.
- B. Definitions.
- (9) "Affordable" shall have the same meaning as that provided by the rules promulgated pursuant to the FHA, as same may be amended from time to time.
- (10) Any references to "affordable housing unit(s)" shall mean residential unit(s) affordable to low- or moderate-income households, as those terms are defined herein.
- (11) "Household" shall have the same meaning as that provided by the rules promulgated pursuant to the FHA, as same may be amended from time to time.
- (12) "Low-income" shall have the same meaning as that provided by the rules promulgated pursuant to the FHA, as same may be amended from time to time.
- (13) "Mixed use development" shall have the same meaning as that provided by the Statewide Non-residential Development Fee Act, N.J.S.A. 40:55D-8.1 through 8.7, as same may be amended from time to time.
- (14) "Moderate-income" shall have the same meaning as that provided by the rules promulgated pursuant to the FHA, as same may be amended from time to time.
- (15) "Non-residential development" shall have the same meaning as that provided by the Statewide Non-residential Development Fee Act, N.J.S.A. 40:55D-8.1 through 8.7, as same may be amended from time to time.

- C. Applicability. This Ordinance sets forth mechanisms by which developers shall provide for a fair share of affordable housing based on growth that is associated with development taking place within all zoning districts within the Township.

This Ordinance shall not apply to any parcel within the Township which would not accommodate five (5) or more dwelling units where the zoning would require a twenty percent (20%) set-aside. Pursuant to N.J.A.C. 5:97-6.4 (b)7., this Ordinance shall apply to any parcel within the Township which would accommodate five (5) or more dwelling units as a result of a "d" variance pursuant to N.J.S.A. 40:55D-70, where the zoning would require a twenty percent (20%) set-aside.

Section 2. Zoning for Inclusionary Development

A. Residential Growth Share Provisions.

- (1) Quantification of Affordable Housing Obligation for Residential Developers. In those circumstances where a developer seeks to develop land for residential purposes, with projects of five (5) or more units, said developer shall provide and develop on-site one (1) affordable housing unit for every four (4) market-rate residential units constructed (20 percent). Residential developers shall fully integrate the affordable housing units with the market-rate residential units. As an alternative to providing the required affordable housing unit(s) on-site, a developer shall have the option of either (i) providing the required affordable housing unit(s) elsewhere in the Township; or (ii) making a payment in lieu pursuant to section 5 of this Ordinance.

- (2) Projects Financed with State Funds. Notwithstanding anything in this Ordinance to the contrary, a developer of a project consisting of newly-constructed residential units being financed in whole or in part with State funds, including, but not limited to, transit villages designated by the Department of Transportation, units constructed on State-owned property, and urban transit hubs as defined pursuant to N.J.S.A. 34:1B-208, shall reserve at least twenty percent (20%) of the residential units constructed for occupancy by low- or moderate-income households with affordability controls as required under the rules of COAH. Any such project shall be otherwise excluded from the provisions of this Ordinance, except that any such project which also consists of non-residential development shall not be excluded from section 2.(B) of this Ordinance.

- B. Statewide Non-residential Development Fee Program. This provision is intended to facilitate the requirements of the statewide non-residential development fee program created by the Statewide Non-residential Development Fee Act, N.J.S.A. 40:55D-8.1 through 8.7. Pursuant to the Statewide Non-residential Development Fee Act at N.J.S.A. 40:55D-8.4, a fee is imposed on all construction resulting in non-residential development as follows:
- a. A fee equal to two and one-half percent (2.5%) of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots; or
 - b. A fee equal to two and one-half percent (2.5%) of the increase in equalized assessed value, of the additions to existing structures to be used for non-residential purposes.
 - c. A developer of a mixed use development shall be required to pay the Statewide non-residential development fee relating to the non-residential development component of a mixed use development subject to the provisions of N.J.S.A. 52:27D-329.1, et seq.
 - d. Pursuant to N.J.S.A. 40:55D-8.4, the developer must pay such fee to the Treasurer of the State of New Jersey. A certificate of occupancy for the subject non-residential development will not issue unless and until the Treasurer of the State of New Jersey has furnished the Township of Lafayette with certified proof concerning the payment.
 - e. Upon COAH authorization, and notwithstanding section 2(B)d. of this Ordinance, the developer shall pay such fee such directly to the Township rather than to the Treasurer of the State of New Jersey.
 - f. This section 2.B shall not apply to any project which is exempt from the Statewide Non-residential Development Fee Act pursuant to N.J.S.A. 40:55D-8.4, or to which the Statewide Non-residential Development Fee Act does not apply, as determined in accordance with N.J.S.A. 40:55D-8.6.
- C. Mixed Use Growth Share Provisions.

- (1) For all mixed use development, the affordable housing requirements for the residential component of the project is set forth in section 2.A(1) of this Ordinance.
- (2) For all mixed use development, the affordable housing requirements for the non-residential component of the project is set forth in section 2(B) of this Ordinance.

Section 3. Density and Affordable Housing Set-Asides

- A. Density and Affordable Housing Set-Aside Standards. To ensure the efficient use of land through compact forms of development and to create realistic opportunities for the construction of affordable housing, the gross density and affordable housing set-aside for any residential development shall be as follows:

- (1) Inclusionary zoning outside of a sewer service area in Planning Areas 3, 4 and 5 shall permit a presumptive density increase of 40 percent over the existing zoning. The presumptive maximum affordable housing set-aside shall be 20 percent of the total number of units in the development.

Section 4. Financial Incentives.

- A. The Township intends to encourage developers to provide affordable housing through inclusionary development. Toward that end, the Township may, in its discretion, make available to a developer any financial incentives, including, but not limited to, tax abatements, which are permitted by law.

Section 5. Payment In Lieu

- A. Pursuant to section 2A(1) of this Ordinance, and upon COAH authorization, a developer may elect to make payment to the Township in lieu of constructing the required affordable housing units subject to the following:
- (1) The developer shall make such payment to the Township in the amount of \$180,267.00 per each affordable housing unit required.
 - (2) The affordable housing requirements set forth in this Ordinance shall be rounded up. Payments in lieu of construction of affordable housing

units are permitted in the event that calculation of the developer's affordable housing obligation pursuant to section 2 of this Ordinance results in an obligation on the part of the developer to construct fractional affordable housing units. In such event, the payment to be made by the developer to the Township shall be prorated.

- (3) Payments in lieu of constructing affordable housing units shall be deposited into an affordable housing trust fund pursuant to N.J.A.C. 5:94-8.1 and 8.4.
- (4) Payments in lieu of constructing affordable housing shall not be permitted where affordable housing is not required. Upon approval by COAH of the Township's Development Fee ordinance, zoning that does not require an affordable housing set-aside or payment in lieu shall be subject to the Township's Development Fee Ordinance.

Section 6. **Schedule.** Affordable housing units shall be built in accordance with the following schedule:

Percentage of Market-Rate Units	Percentage of Moderate-Income Units
Completed	Completed
25	0
25 + 1 unit	10
50	50
75	75
90	100

Section 7. **Design**

- A. The design of inclusionary and mixed-use developments providing affordable housing units shall be consistent with the general policies and implementation mechanisms regarding design in the State Development and Redevelopment Plan.
- B. To the extent feasible, developers shall fully integrate affordable housing units with market-rate units.
- C. Affordable housing units shall have access to all community amenities available to market-rate units that are subsidized in whole by associated fees and utilize the same heating source as market units within the inclusionary development.

- D. The first floor of all of all townhouse dwelling units and all other multistory dwelling units shall comply with the accessibility and adaptability requirements of N.J.A.C. 5:94-3.14.
- E. Affordable housing units shall comply with N.J.A.C. 5:97-9 and the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq.
- F. The following documentation shall be submitted prior to marketing the completed units:
 - (1) A draft or adopted operating manual that includes a description of the program procedures and administration in accordance with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq.
 - (2) An affirmative marketing plan in accordance with Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq.
 - (3) Designation of an experienced administrative agent, including a statement of his/her qualifications, in accordance with N.J.A.C. 5:95-18.

Section 8. Codification. This Ordinance may be renumbered for codification purposes.

Section 9. Severability. All Ordinances and parts of Ordinances inconsistent with any part of this Ordinance are hereby repealed to the extent that they are in such conflict or inconsistent. If any section, paragraph, subparagraph, sentence, clause, or phrase of this Ordinance shall be held to be invalid by any court, such decision shall not invalidate any remaining portion of this Ordinance.

Section 10. Effective Date. This Ordinance shall take effect upon passage and publication as soon as practicable and in the manner provided by law.

I hereby certify that this Ordinance was duly adopted by the Township Council of the Township of Lafayette at a meeting of said Township Council held on _____, 2008

Anna Rose Fedish, Municipal Clerk of the Township of Lafayette

I hereby approve this Ordinance.

Mayor Richard Hughes

Township of Lafayette, Sussex County
Master Plan Housing Element and
Fair Share Plan

ROLL CALL VOTE

MAYOR & COMMITTEE	YES	N O	ABSTAIN	ABSENT
Committeeman Corcoran				
Committeeman Bruning				
Committeeman D'Angeli				
Committeeman Sweeney				

Council on Affordable Housing

Affordable Housing Trust Fund Spending Plan

INTRODUCTION

Lafayette Township, Sussex County has prepared a Housing Element and Fair Share plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:97-1 et seq. and N.J.A.C. 5:96-1 et seq.). A development fee ordinance creating a dedicated revenue source for affordable housing was approved by COAH on April 13, 2005 and adopted by the municipality on *[insert date of adoption]*. The ordinance establishes the Lafayette Township affordable housing trust fund for which this spending plan is prepared.

As of July 17, 2008, Lafayette Township has collected \$ *[insert amount of revenue already collected]*, expended \$ 0, resulting in a balance of \$ *[insert balance as of July 17, 2008]*. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in Lakeland Savings and Loan for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

1. REVENUES FOR CERTIFICATION PERIOD

To calculate a projection of revenue anticipated during the period of third round substantive certification, Lafayette Township considered the following:

(a) Development fees:

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

(b) Payment in lieu (PIL):

Actual and committed payments in lieu (PIL) of construction from developers as follows: \$0

(c) Other funding sources:

Funds from other sources, including, but not limited to, the sale of units with extinguished controls, repayment of affordable housing program loans, rental income, proceeds from the sale of affordable units and [*insert name of other fund(s)*]. \$0

(d) Projected interest:

Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate. \$9,000.00

SOURCE OF FUNDS	PROJECTED REVENUES-HOUSING TRUST FUND - 2008 THROUGH 2018											
	7/18/08 Through 12/31/08	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total
(a) Development fees:												
1. Approved Development	228,423											228,423
2. Development Pending Approval	0											
3. Projected Development	0	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	300,000
(b) Payments in Lieu of Construction	0											
(c) Other Funds (Specify source(s))	0											
(d) Interest	Included above	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	10,000
Total	228,423	31,000	31,000	31,000	31,000	31,000	31,000	31,000	31,000	31,000	31,000	538,423

Lafayette projects a total of \$ 548,423 in revenue to be collected between July 18, 2008 and December 31, 2018. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing.

Lafayette projects a total of \$ 548,423 in revenue to be collected between July 18, 2008 and December 31, 2018. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by Lafayette Township:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with Lafayette's development fee ordinance for both residential and non-residential developments in accordance with COAH's rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

(b) Distribution of development fee revenues:

The affordable housing liaison instructs the CFO to release a certain amount of funding to a recipient entity.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) **Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)**

Lafayette will dedicate up to \$410,000 plus administration to rehabilitation or new construction programs (see detailed descriptions in Fair Share Plan) as follows:

Rehabilitation program: up to \$60,000 + administrative fees

New construction project(s): \$350,000 total

1. Woodland Farms: \$125,000 Township will reimburse itself for funding taken from general revenues and given to Woodland Farms.
2. Accessory Apartments: up to \$225,000

(b) **Affordability Assistance (N.J.A.C. 5:97-8.8)**

Projected minimum affordability assistance requirement:

Actual development fees through November 19,2008		\$228,423
Actual interest earned through 7/17/2008	+	\$included above
Development fees projected* 2008-2018	+	\$300,000
Interest projected* 2008-2018	+	\$ 9,000
Less housing activity expenditures through 2018	-	\$410,000
Total	=	\$127,423
30 percent requirement	x 0.30 =	\$38,226.90
Less Affordability assistance expenditures through 12/31/2004	-	\$0
PROJECTED MINIMUM Affordability Assistance	=	\$38,226.90

Requirement 1/1/2005 through 12/31/2018		
PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 1/1/2005 through 12/31/2018	$\div 3 =$	\$12,742.30

* Note: The 2008 portion of this projection reflects 2008 subsequent to July 17 as the remainder of 2008 is included in the actual figure reported above.

Lafayette Township will dedicate \$38,226.90 from the affordable housing trust fund to render units more affordable, including \$ 12,742.30 to render units more affordable to households earning 30 percent or less of median income by region, as follows:

1. *Downpayment assistance for the accessory apartment program*
2. *Rental assistance for the accessory apartment program*

(c) **Administrative Expenses (N.J.A.C. 5:97-8.9)**

Lafayette projects that \$17,839.22 will be available from the affordable housing trust fund to be used for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

1. Payment to consultants to prepare amended plan
2. Payment to run rehab program
3. Payment to run accessory apartment program to come from general revenues

4. EXPENDITURE SCHEDULE

Lafayette intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of housing units. Where applicable, the creation/rehabilitation funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows.

Program		Funds Expended and/or Dedicated	PROJECTED EXPENDITURE SCHEDULE 2009 -2018											
			2005- July 17, 2008	7/18/08 - 12/31/08	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Rehabilitation	3			60,000										60,000
Accessory apts	9				25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	225,000
Woodland Farms	10	125,000												125,000
Total Programs		125,000		60,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	
Affordability Assistance	38,226.90													38,227
Administration	17,839.22													17,839
Total	56,066.12	125,000	0	60,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	466,066.12

5. EXCESS OR SHORTFALL OF FUNDS

Pursuant to the Housing Element and Fair Share Plan, the governing body of Lafayette Township has adopted a resolution agreeing to fund any shortfall of funds required for implementing the rehab program, accessory apartment program and affordability assistance programs. In the event that a shortfall of anticipated revenues occurs, Lafayette will adopt a resolution of intent to bond for the shortfall. The resolution is not yet adopted.

In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be used for an unnamed program to generate more credits, program administration and preparation of a fourth round plan.

6. BARRIER FREE ESCROW

Collection and distribution of barrier free funds shall be consistent with Lafayette's Affordable Housing Ordinance in accordance with N.J.A.C. 5:97-8.5.

[Reference section of Affordable Housing Ordinance that explains the collection and distribution of barrier free funds.] Not done yet

SUMMARY

Lafayette intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the housing element and fair share plan dated December 2, 2008.

Lafayette has a balance of \$ 228,423 as of November 19, 2008 and anticipates an additional \$ 320,000 in revenues before the expiration of substantive certification for a total of \$548,423. The municipality will dedicate \$ 225,000 toward accessory apartments, \$60,000 to rehabilitation program, \$125,000 to Woodland Farms and \$ 38,226.90 for affordability assistance to render units more affordable, and \$17,839.22 to administrative costs. Any shortfall of funds will be offset by bonding. The municipality will dedicate any excess funds toward an unnamed program to generate more credits, program administration and preparation of a fourth round plan.

SPENDING PLAN SUMMARY	
Balance as of November 19, 2008	\$228,423
PROJECTED REVENUE July 18, 2008-2018	
Development fees	+ \$300,000
Payments in lieu of construction	+ \$0
Other funds	+ \$0
Interest	+ \$9,000
TOTAL REVENUE	= \$537,423
EXPENDITURES	
Funds used for Rehabilitation	- \$60,000
Funds used for New Construction	
1. Woodland Farms	- \$125,000
2. Accessory apartments	- \$225,000
3.	- \$
4.	- \$
5.	- \$
6.	- \$
7.	- \$
8.	- \$
9.	- \$
10.	- \$
Affordability Assistance	- \$38,226.90
Administration	- \$17,839.22
Excess Funds for Additional Housing Activity	= \$71,356.88
1. an unnamed program for more credits	- \$57,085.70
2. consultants	- \$14,271.18
3.	- \$
TOTAL PROJECTED EXPENDITURES	= \$537,423.00
REMAINING BALANCE	= \$0.00

Council on Affordable Housing

Development Fee Ordinance

1. Purpose

- a) In Holmdel Builder's Association V. Holmdel Township, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the Act), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's (COAH's) adoption of rules.
- b) Pursuant to P.L.2008, c.46 section 8 (C. 52:27D-329.2) and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7), COAH is authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a COAH-approved spending plan may retain fees collected from non-residential development.
- c) This ordinance establishes standards for the collection, maintenance, and expenditure of development fees pursuant to COAH's regulations and in accordance P.L.2008, c.46, Sections 8 and 32-38. Fees collected pursuant to this ordinance shall be used for the sole purpose of providing low- and moderate-income housing. This ordinance shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8.

2. Basic requirements

- a) This ordinance shall not be effective until approved by COAH pursuant to *N.J.A.C. 5:96-5.1*.
- b) *Lafayette* shall not spend development fees until COAH has approved a plan for spending such fees in conformance with *N.J.A.C. 5:97-8.10* and *N.J.A.C. 5:96-5.3*.

3. Definitions

- a) The following terms, as used in this ordinance, shall have the following meanings:
 - i. **"Affordable housing development"** means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary

development, a municipal construction project or a 100 percent affordable development.

- ii. **“COAH”** or the **“Council”** means the New Jersey Council on Affordable Housing established under the Act which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the State.
- iii. **“Development fee”** means money paid by a developer for the improvement of property as permitted in *N.J.A.C. 5:97-8.3*.
- iv. **“Developer”** means the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.
- v. **“Equalized assessed value”** means the assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 of P.L.1973, c.123 (C.54:1-35a through C.54:1-35c).
- vi. **“Green building strategies”** means those strategies that minimize the impact of development on the environment, and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

4. Residential Development fees

- a) Imposed fees
 - i. Within all residential zoning districts, residential developers building less than five units and except for developers of the types of development specifically exempted below, shall pay a fee of one and a half percent of the equalized assessed value for residential development provided no increased density is permitted.
 - ii. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a “d” variance) has been permitted, developers may be required to pay a development fee of maximum of six percent of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal one and a half percent of the equalized assessed value on the first two units; and the specified higher percentage up to six percent of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

- b) Eligible exactions, ineligible exactions and exemptions for residential development
 - i. Affordable housing developments and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.
 - ii. Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
 - iii. Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced (except as exempted by COAH rules, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.

5. Non-residential Development fees

- a) Imposed fees
 - i. Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to two and one-half (2.5) percent of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
 - ii. Non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to two and one-half (2.5) percent of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
 - iii. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of two and a half percent

(2.5%) shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvement and the equalized assessed value of the newly improved structure, i.e. land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

- b) Eligible exactions, ineligible exactions and exemptions for non-residential development
 - i. The non-residential portion of a mixed-use inclusionary or market rate development shall be subject to the two and a half (2.5) percent development fee, unless otherwise exempted below.
 - ii. The 2.5 percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
 - iii. Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to P.L.2008, c.46, as specified in the Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.
 - iv. A developer of a non-residential development exempted from the non-residential development fee pursuant to P.L.2008, c.46 shall be subject to it at such time the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
 - v. If a property which was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by Lafayette as a lien against the real property of the owner.

6. Collection procedures

- a) Upon the granting of a preliminary, final or other applicable approval, for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF "State of New Jersey Non-Residential

Development Certification/Exemption” to be completed as per the instructions provided. The Developer of a non-residential development shall complete Form N-RDF as per the instructions provided. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided in the Form N-RDF. The Tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

- c) The construction official responsible for the issuance of a building permit shall notify the local tax assessor of the issuance of the first building permit for a development which is subject to a development fee.
- d) Within 90 days of receipt of that notice, the municipal tax assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- e) The construction official responsible for the issuance of a final certificate of occupancy notifies the local assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
- f) Within 10 business days of a request for the scheduling of a final inspection, the municipal assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- g) Should Lafayette fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in subsection b. of section 37 of P.L.2008, c.46 (C.40:55D-8.6).
- h) Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.
- i) Appeal of development fees
 - 1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest bearing escrow account by Lafayette. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days

after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

- 2) A developer may challenge non-residential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest bearing escrow account by Lafayette. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S.54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

7. Affordable Housing trust fund

- a) There is hereby created a separate, interest-bearing housing trust fund to be maintained by the chief financial officer for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- b) The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 1. payments in lieu of on-site construction of affordable units;
 2. developer contributed funds to make ten percent (10%) of the adaptable entrances in a townhouse or other multistory attached development accessible;
 3. rental income from municipally operated units;
 4. repayments from affordable housing program loans;
 5. recapture funds;
 6. proceeds from the sale of affordable units; and
 7. any other funds collected in connection with *[insert municipal name]*'s affordable housing program.
- c) Lafayette has a three party escrow agreement with COAH.
- d) All interest accrued in the housing trust fund shall only be used on eligible affordable housing activities approved by COAH.

8 Use of funds

- a) The expenditure of all funds shall conform to a spending plan approved by COAH. Funds deposited in the housing trust fund may be used for any activity approved by COAH to address the Lafayette's fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not

limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls, rehabilitation, new construction of affordable housing units and related costs, accessory apartment, market to affordable, or regional housing partnership programs, conversion of existing non-residential buildings to create new affordable units, green building strategies designed to be cost saving and in accordance with accepted national or state standards, purchase of land for affordable housing, improvement of land to be used for affordable housing, extensions or improvements of roads and infrastructure to affordable housing sites, financial assistance designed to increase affordability, administration necessary for implementation of the Housing Element and Fair Share Plan, or any other activity as permitted pursuant to N.J.A.C. 5:97-8.7 through 8.9 and specified in the approved spending plan.

- b) Funds shall not be expended to reimburse Lafayette for past housing activities.
- c) At least 30 percent of all development fees collected and interest earned shall be used to provide affordability assistance to low- and moderate-income households in affordable units included in the municipal Fair Share Plan. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30 percent or less of median income by region.
 - i. Affordability assistance programs may include down payment assistance, security deposit assistance, low interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, and assistance with emergency repairs.
 - ii. Affordability assistance to households earning 30 percent or less of median income may include buying down the cost of low or moderate income units in the municipal Fair Share Plan to make them affordable to households earning 30 percent or less of median income.
 - iii. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement.
- d) Lafayette may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance, in accordance with N.J.A.C. 5:96-18.
- e) No more than 20 percent of all revenues collected from development fees, may be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultant fees necessary to develop or implement a new construction program, a Housing Element and Fair Share Plan, and/or an affirmative marketing program. In the case of a rehabilitation program, no more than 20 percent of the revenues collected from development fees shall be

expended for such administrative expenses. Administrative funds may be used for income qualification of households, monitoring the turnover of sale and rental units, and compliance with COAH's monitoring requirements. Legal or other fees related to litigation opposing affordable housing sites or objecting to the Council's regulations and/or action are not eligible uses of the affordable housing trust fund.

9. Monitoring

- a) Lafayette shall complete and return to COAH all monitoring forms included in monitoring requirements related to the collection of development fees from residential and non-residential developers, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, barrier free escrow funds, rental income, repayments from affordable housing program loans, and any other funds collected in connection with Lafayette's housing program, as well as to the expenditure of revenues and implementation of the plan certified by COAH.. All monitoring reports shall be completed on forms designed by COAH.

10. Ongoing collection of fees

- a) The ability for Lafayette to impose, collect and expend development fees shall expire with its substantive certification unless Lafayette has filed an adopted Housing Element and Fair Share Plan with COAH, has petitioned for substantive certification, and has received COAH's approval of its development fee ordinance. If Lafayette fails to renew its ability to impose and collect development fees prior to the expiration of substantive certification, it may be subject to forfeiture of any or all funds remaining within its municipal trust fund. Any funds so forfeited shall be deposited into the "New Jersey Affordable Housing Trust Fund" established pursuant to section 20 of P.L.1985, c.222 (C.52:27D-320). Lafayette shall not impose a residential development fee on a development that receives preliminary or final site plan approval after the expiration of its substantive certification or judgment of compliance, nor shall Lafayette retroactively impose a development fee on such a development. Lafayette shall not expend development fees after the expiration of its substantive certification or judgment of compliance.

AFFIRMATIVE FAIR HOUSING MARKETING PLAN

For Affordable Housing in **(REGION 1)**

I. APPLICANT AND PROJECT INFORMATION

(Complete Section I individually for all developments or programs within the municipality.)

1a. Administrative Agent Name, Address, Phone Number Affordable Housing Administrators 1401 Beaver Dam Road, Suite 202 Point Pleasant, NJ 08742		1b. Development or Program Name, Address Accessory Apartment Program	
1c. Number of Affordable Units: 9 Number of Rental Units: 9 Number of For-Sale Units: 0		1d. Price or Rental Range Varies depending on number of bedrooms and whether low or mod	
		1e. State and Federal Funding Sources (if any) none	
1f. <input type="checkbox"/> Age Restricted <input checked="" type="checkbox"/> Non-Age Restricted		1g. Approximate Starting Dates Advertising: 2009 Occupancy: 2009	
1h. County Bergen, Hudson, Passaic, Sussex		1i. Census Tract(s):	
1j. Managing/Sales Agent's Name, Address, Phone Number Affordable Housing Administrators			
1k. Application Fees (if any): none			

(Sections II through IV should be consistent for all affordable housing developments and programs within the municipality. Sections that differ must be described in the approved contract between the municipality and the administrative agent and in the approved Operating Manual.)

II. RANDOM SELECTION

2. Describe the random selection process that will be used once applications are received.

There will be a defined period during which applications will be taken. After that period, applications will be randomly selected and analyzed for completeness. Applicants will be given a time period to cure deficiencies. Those that are deemed complete and eligible first will be given first priority to view apartments. Homeowners have the right to pick which renter they wish to enter a contract with.

III. MARKETING

3a. Direction of Marketing Activity: (indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors)

☐ White (non-Hispanic) ☒ Black (non-Hispanic) ☒ Hispanic ☐ American Indian or Alaskan Native
☒ Asian or Pacific Islander ☐ Other group:

3b. Commercial Media (required) (Check all that applies)

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA
TARGETS ENTIRE COAH REGION 1			
Daily Newspaper			
<input checked="" type="checkbox"/>		Star-Ledger	Northern and Central New Jersey
TARGETS PARTIAL COAH REGION 1			
Daily Newspaper			
<input type="checkbox"/>		Record, The	Bergen
<input type="checkbox"/>		Jersey Journal	Hudson
<input type="checkbox"/>		Herald News	Passaic
<input type="checkbox"/>		New Jersey Herald	Sussex
	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL TV STATION(S)	CIRCULATION AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE COAH REGION 1			
<input type="checkbox"/>		2 WCBS-TV Cbs Broadcasting Inc.	NYC Metropolitan Area
<input type="checkbox"/>		4 WNBC NBC Telemundo License Co. (General Electric)	NYC Metropolitan Area
<input type="checkbox"/>		5 WNYW Fox Television Stations, Inc. (News Corp.)	NYC Metropolitan Area
<input type="checkbox"/>		7 WABC-TV American Broadcasting Companies, Inc (Walt Disney)	NYC Metropolitan Area
<input type="checkbox"/>		11 WPIX Wpix, Inc. (Tribune)	NYC Metropolitan Area
<input type="checkbox"/>		13 Wpix, Inc. (Tribune) Educational Broadcasting Corporation	NYC Metropolitan Area
<input type="checkbox"/>		25 WNYE-TV New York City Dept. Of Info Technology & Telecommunications	NYC Metropolitan Area

<input type="checkbox"/>		31 WPXN-TV Paxson Communications License Company, Llc	NYC Metropolitan Area
<input type="checkbox"/>		41 WXTV Wxtv License Partnership, G.p. (Univision Communications Inc.)	NYC Metropolitan Area, Spanish- language
<input type="checkbox"/>		47 WNJU NBC Telemundo License Co. (General Electric)	NYC Metropolitan Area, Spanish- language
<input type="checkbox"/>		50 WNJN New Jersey Public Broadcasting Authority	New Jersey
<input type="checkbox"/>		62 WRNN-TV Wrnn License Company, Llc	Hudson Valley
<input type="checkbox"/>		63 WMBC-TV Mountain Broadcasting Corporation	Northern New Jersey, Various ethnic
<input type="checkbox"/>		66 WFME-TV Family Stations Of New Jersey, Inc.	Northern New Jersey, Christian
<input type="checkbox"/>		68 WFUT-TV Univision New York Llc	NYC Metropolitan Area, Spanish- language

TARGETS PARTIAL COAH REGION 1

<input type="checkbox"/>		8 WTNH Wtnh Broadcasting, Inc. (LIN TV Corp.)	Bergen
<input type="checkbox"/>		49 WEDW Connecticut Public Broadcasting, Inc.	Bergen
<input type="checkbox"/>		17 WEBR-CA K Licensee, Inc.	Bergen, Hudson (Christian)
<input type="checkbox"/>		26 WNXV-LP Island Broadcasting Company	Bergen, Hudson
<input type="checkbox"/>		32 WXNY-LP Island Broadcasting Company	Bergen, Hudson
<input type="checkbox"/>		35 WNYX-LP Island Broadcasting Company	Bergen, Hudson
<input type="checkbox"/>		39 WNYN-LP Island Broadcasting Company	Bergen, Hudson (Spanish)
<input type="checkbox"/>		21 WLIW Educational Broadcasting Corporation	Bergen, Hudson, Passaic
<input type="checkbox"/>		60 W60AI Ventana Television, Inc.	Bergen, Hudson, Passaic
<input type="checkbox"/>		6 WNYZ-LP Island Broadcasting Co.	Bergen, Sussex
<input type="checkbox"/>		22 WMBQ-CA Renard Communications Corp.	Hudson
<input type="checkbox"/>		34 WPXO-LP Paxson Communications License Company, Llc	Hudson
<input type="checkbox"/>		42 WKOB-LP Nave Communications, Llc	Hudson (Christian)
<input type="checkbox"/>		3 WBQM-LP Renard Communications Corp.	Hudson, Sussex
<input type="checkbox"/>		52 WNJT New Jersey Public Broadcasting Authority	Hudson, Sussex

<input type="checkbox"/>		28 WBRE-TV Nexstar Broadcasting, Inc.	Passaic, Sussex
<input type="checkbox"/>		36 W36AZ New Jersey Public Broadcasting Authority	Passaic, Sussex
<input type="checkbox"/>		16 WNEP-TV New York Times Co.	Sussex
<input type="checkbox"/>		22 WYOU Nexstar Broadcasting, Inc.	Sussex
<input type="checkbox"/>		23 W23AZ Centenary College	Sussex
<input type="checkbox"/>		38 WSWB Mystic Television of Scranton Llc	Sussex
<input type="checkbox"/>		39 WLVT-TV Lehigh Valley Public Telecommunications Corp.	Sussex
<input type="checkbox"/>		44 WVIA-TV Ne Pa Ed Tv Association	Sussex
<input type="checkbox"/>		49 W49BE New Jersey Public Broadcasting Authority	Sussex
<input type="checkbox"/>		56 WOLF-TV Wolf License Corp	Sussex
<input type="checkbox"/>		60 WBPB-TV Sonshine Family Television Corp	Sussex
<input type="checkbox"/>		64 WQPX Paxson Communications License Company, Llc (Ion Media Networks)	Sussex
<input type="checkbox"/>		69 WFMZ-TV Maranatha Broadcasting Company, Inc.	Sussex

	DURATION & FREQUENCY OF OUTREACH	NAMES OF CABLE PROVIDER(S)	BROADCAST AREA
TARGETS PARTIAL COAH REGION 1			
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Bergen
<input type="checkbox"/>		Comcast of the Meadowlands	Partial Bergen
<input type="checkbox"/>		Cablevision of New Jersey, Oakland, Ramapo, and Rockland	Partial Bergen
<input type="checkbox"/>		US Cable of Paramus-Hillsdale	Partial Bergen
<input type="checkbox"/>		Cablevision of NJ (Bayonne System), Hudson	Partial Hudson
<input type="checkbox"/>		Comcast of Jersey City, Meadowlands, NJ (Union System)	Partial Hudson
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Hudson
<input type="checkbox"/>		Cablevision of Oakland, Paterson	Partial Passaic
<input type="checkbox"/>		Hometown Online	Partial Passaic
<input type="checkbox"/>		Cable Vision of Morris, Warwick	Partial Sussex

<input type="checkbox"/>		Hometown Online	Partial Sussex
<input type="checkbox"/>		Service Electric Broadband Cable	Partial Sussex
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Bergen
<input type="checkbox"/>		Comcast of the Meadowlands	Partial Bergen
<input type="checkbox"/>		Cablevision of New Jersey, Oakland, Ramapo, and Rockland	Partial Bergen
<input type="checkbox"/>		US Cable of Paramus-Hillsdale	Partial Bergen
<input type="checkbox"/>		Cablevision of NJ (Bayonne System), Hudson	Partial Hudson
<input type="checkbox"/>		Comcast of Jersey City, Meadowlands, NJ (Union System)	Partial Hudson
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Hudson
<input type="checkbox"/>		Cablevision of Oakland, Paterson	Partial Passaic
<input type="checkbox"/>		Hometown Online	Partial Passaic
<input type="checkbox"/>		Cable Vision of Morris, Warwick	Partial Sussex
<input type="checkbox"/>		Hometown Online	Partial Sussex
<input type="checkbox"/>		Service Electric Broadband Cable	Partial Sussex
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Bergen
<input type="checkbox"/>		Comcast of the Meadowlands	Partial Bergen
<input type="checkbox"/>		Cablevision of New Jersey, Oakland, Ramapo, and Rockland	Partial Bergen
<input type="checkbox"/>		US Cable of Paramus-Hillsdale	Partial Bergen
<input type="checkbox"/>		Cablevision of NJ (Bayonne System), Hudson	Partial Hudson
<input type="checkbox"/>		Comcast of Jersey City, Meadowlands, NJ (Union System)	Partial Hudson
<input type="checkbox"/>		Time Warner Cable of Bergen & Hudson Counties	Partial Hudson
<input type="checkbox"/>		Cablevision of Oakland, Paterson	Partial Passaic
<input type="checkbox"/>		Hometown Online	Partial Passaic
<input type="checkbox"/>		Cable Vision of Morris, Warwick	Partial Sussex
<input type="checkbox"/>		Hometown Online	Partial Sussex
<input type="checkbox"/>		Service Electric Broadband Cable	Partial Sussex

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL RADIO STATION(S)	BROADCAST AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE COAH REGION 1			
AM			
<input type="checkbox"/>		WFAN 660	
<input type="checkbox"/>		WOR 710	
<input type="checkbox"/>		WABC 770	
<input type="checkbox"/>		WCBS 880	
<input type="checkbox"/>		WBBR 1130	
FM			
<input type="checkbox"/>		WFNY-FM 92.3	
<input type="checkbox"/>		WPAT-FM 93.1	Spanish
<input type="checkbox"/>		WNYC-FM 93.9	
<input type="checkbox"/>		WFME 94.7	Christian
<input type="checkbox"/>		WPLJ 95.5	
<input type="checkbox"/>		WQXR-FM 96.3	
<input type="checkbox"/>		WQHT 97.1	
<input type="checkbox"/>		WSKQ-FM 97.9	Spanish
<input type="checkbox"/>		WAWZ 99.1	Christian
<input type="checkbox"/>		WBAI 99.5	
<input type="checkbox"/>		WHTZ 100.3	
<input type="checkbox"/>		WHUD 100.7	
<input type="checkbox"/>		WCBS-FM 101.1	
<input type="checkbox"/>		WQCD 101.9	
<input type="checkbox"/>		WNEW 102.7	
<input type="checkbox"/>		WKTU 103.5	
<input type="checkbox"/>		WAXQ 104.3	
<input type="checkbox"/>		WWPR-FM 105.1	
<input type="checkbox"/>		WLTW 106.7	
<input type="checkbox"/>		WBLS 107.5	

TARGETS PARTIAL COAH REGION 1
AM

<input type="checkbox"/>		WEEX 1230	Bergen
<input type="checkbox"/>		WKDM 1380	Bergen, Hudson (Chinese/ Mandarin)
<input type="checkbox"/>		WMCA 570	Bergen, Hudson, Passaic (Christian)
<input type="checkbox"/>		WNYC 820	Bergen, Hudson, Passaic
<input type="checkbox"/>		WRKL 910	Bergen, Hudson, Passaic (Polish)
<input type="checkbox"/>		WPAT 930	Bergen, Hudson, Passaic (Caribbean, Mexican, Mandarin)
<input type="checkbox"/>		WWDJ 970	Bergen, Hudson, Passaic (Christian)
<input type="checkbox"/>		WINS 1010	Bergen, Hudson, Passaic
<input type="checkbox"/>		WEPN 1050	Bergen, Hudson, Passaic
<input type="checkbox"/>		WVNJ 1160	Bergen, Hudson, Passaic
<input type="checkbox"/>		WLIB 1190	Bergen, Hudson, Passaic (Christian)
<input type="checkbox"/>		WADO 1280	Bergen, Hudson, Passaic (Spanish)
<input type="checkbox"/>		WWRV 1330	Bergen, Hudson, Passaic (Spanish)
<input type="checkbox"/>		WNSW 1430	Bergen, Hudson, Passaic (Portuguese)
<input type="checkbox"/>		WZRC 1480	Bergen, Hudson, Passaic (Chinese/Cantonese)
<input type="checkbox"/>		WQEW 1560	Bergen, Hudson, Passaic
<input type="checkbox"/>		WWRL 1600	Bergen, Hudson, Passaic
<input type="checkbox"/>		WWRU 1660	Bergen, Hudson, Passaic (Korean)
<input type="checkbox"/>		WMTR 1250	Passaic
<input type="checkbox"/>		WGHT 1500	Passaic
<input type="checkbox"/>		WNNJ 1360	Sussex

FM

<input type="checkbox"/>		WSOU 89.5	Bergen, Hudson
<input type="checkbox"/>		WCAA 105.9	Bergen, Hudson (Latino)
<input type="checkbox"/>		WBGO 88.3	Bergen, Hudson, Passaic
<input type="checkbox"/>		WFDU 89.1	Bergen, Hudson, Passaic
<input type="checkbox"/>		WKCR-FM 89.9	Bergen, Hudson, Passaic
<input type="checkbox"/>		WNYU-FM 89.1	Bergen, Hudson, Passaic
<input type="checkbox"/>		WFUV 90.7	Bergen, Hudson, Passaic

<input type="checkbox"/>		WFMU 91.1	Bergen, Hudson, Passaic
<input type="checkbox"/>		WNYE 91.5	Bergen, Hudson, Passaic
<input type="checkbox"/>		WRKS 98.7	Bergen, Hudson, Sussex
<input type="checkbox"/>		WRTN 93.5	Bergen, Hudson, Sussex
<input type="checkbox"/>		WHCR-FM 90.3	Bergen, Passaic
<input type="checkbox"/>		WPSC-FM 88.7	Passaic
<input type="checkbox"/>		WRHV 88.7	Passaic
<input type="checkbox"/>		WNJP 88.5	Sussex
<input type="checkbox"/>		WNTI 91.9	Sussex
<input type="checkbox"/>		WCTO 96.1	Sussex
<input type="checkbox"/>		WSUS 102.3	Sussex
<input type="checkbox"/>		WNNJ-FM 103.7	Sussex
<input type="checkbox"/>		WDHA -FM 105.5	Sussex
<input type="checkbox"/>		WHCY 106.3	Sussex
<input type="checkbox"/>		WWYY 107.1	Sussex

3c. Other Publications (such as neighborhood newspapers, religious publications, and organizational newsletters)
(Check all that applies)

	NAME OF PUBLICATIONS	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE COAH REGION 1			
Bi-weekly			
<input type="checkbox"/>	Al Manassah		Arab-American
Monthly			
<input type="checkbox"/>	Sino Monthly	North Jersey/NYC area	Chinese-American
TARGETS PARTIAL COAH REGION 1			
Daily			
<input type="checkbox"/>	24 Horas	Bergen, Essex, Hudson, Middlesex, Passaic, Union Counties	Portuguese-Language
Weekly			
<input type="checkbox"/>	Arab Voice Newspaper	North Jersey/NYC area	Arab-American
<input type="checkbox"/>	La Voz	Hudson, Union, Middlesex Counties	Cuban community
<input type="checkbox"/>	Italian Tribune	North Jersey/NYC area	Italian community

<input type="checkbox"/>		Jewish Standard	Bergen, Passaic, Hudson Counties	Jewish community
<input type="checkbox"/>		El Especialito	Union City	Spanish-Language
<input type="checkbox"/>		El Nuevo	Hudson County	Spanish-Language
<input type="checkbox"/>		La Tribuna Hispana	Basking Ridge, Bound Brook, Clifton, East Rutherford, Elizabeth, Fort Lee, Greebrook, Linden, Lydenhurst, Newark, North Plainfield, Orange, Passaic, Paterson, Plainfield, Roselle, Scotch Plains, Union, Union City, West NY	Spanish-Language
<input type="checkbox"/>		Su Guia	Bergen and Passaic	Spanish-Language
<input type="checkbox"/>		Banda Oriental Latinoamérica	North Jersey/NYC area	South American community
<input type="checkbox"/>		Ukranian Weekly	New Jersey	Ukranian community

3d. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)

DURATION & FREQUENCY OF OUTREACH	NAME OF EMPLOYER/COMPANY	LOCATION
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Hudson County

<input type="checkbox"/>		United Parcel Service Inc. NY Corp	492 County Ave, Secaucus
<input type="checkbox"/>		USPS	80 County Road, Jersey City
<input type="checkbox"/>		Liz Claiborne Inc	1 Claiborne Ave, North Bergen
<input type="checkbox"/>		Credit Suisse First Boston LLC	1 Pershing Plz Jersey City
<input type="checkbox"/>		HealthCare Staffing and Consult	26 Journal Square, Jersey City
<input type="checkbox"/>		Ritter Sysco Food Service	20 Theodore Conrad Dr. Jersey City
<input type="checkbox"/>		Jersey City Medical Center Inc.	50 Grand St, Secaucus
<input type="checkbox"/>		Marsh USA Inc.	121 River St, Hoboken
<input type="checkbox"/>		National Retail Systems Inc.	2820 16th St North Bergen
<input type="checkbox"/>		Community Corrections Corp	Lincoln Hwy Kearny
<input type="checkbox"/>		Marine Personnel & Provisioning Inc.	1200 Harbor Blvd Weehawken
<input type="checkbox"/>		Port Authority of NY and NJ	241 Erie St. Jersey City and 120 Academy St. Jersey City
<input type="checkbox"/>		Christ Hospital Health Service	176 Palisade Ave, Jersey City
<input type="checkbox"/>		Bayonne Hospital	29th Street and Ave E, Bayonne

<input type="checkbox"/>		Salson Logistics Inc.	2100 88th St.and 7373 West Side Ave, North Bergen, NJ
<input type="checkbox"/>		National Financial Service	1000 Plaza, Jersey City
<input type="checkbox"/>		Fleet NJ Company Development Corp.	10 Exchange Place, Jersey City
<input type="checkbox"/>		Maidenform Inc	154 Ave E, Bayonne
<input type="checkbox"/>		Lord Abbett & Company	90 Hudson City, Jersey City
<input type="checkbox"/>		Liberty Health Plan Inc.	50 Baldwin Ave Jersey City
<input type="checkbox"/>		Port Imperial Ferry Corp.	Pershing Rd Secaucus
<input type="checkbox"/>		Hudson News	1305 Paterson Plank Rd, North Bergen
<input type="checkbox"/>		Palisades General Hospital	7600 River Rd North Bergen, NJ
<input type="checkbox"/>		Equiserve Inc.	525 Washington Blvd Jersey city
<input type="checkbox"/>		Ciricorp Data Systems Incorporated	1919 Park Ave Secaucus
<input type="checkbox"/>		Meadowlands Hospital Medical Center	Meadowlands Pkwy Secaucus
<input type="checkbox"/>		Retailers & Manufacturers Dist Marking Serv.	50 Metro Way Secaucus
<input type="checkbox"/>		Dynamic Delivery Corp	125 Pennsylvania Ave Kearny, NJ
<input type="checkbox"/>		Bowne Business Communications Inc.	215 County Ave Secaucus
<input type="checkbox"/>		North Hudson Community Action Corp.	5301 Broadway West New York 07093
<input type="checkbox"/>		Goya Foods Inc.	100 Seaview Dr. Secaucus
<input type="checkbox"/>		Cristi Cleaning Service	204 Paterson Plank Rd Union, NJ

Bergen County			
<input type="checkbox"/>		Hackensack University Medical Center	30 Prospect Ave, Hackensack, NJ 07601
<input type="checkbox"/>		Professional Employer Group Service	2050 Center Ave Ste 336 Fort Lee
<input type="checkbox"/>		County of Bergen, NJ	1 Bergen County Plaza Hackensack, NJ 07601
<input type="checkbox"/>		Society of the Valley Hospital	223 N Van Dien Ave Ridgewood
<input type="checkbox"/>		NJ Sports & Expo Authority	50 State Highway 120 East Rutherford
<input type="checkbox"/>		Merck-Medco Managed Care LLC	100 Parsons Pond Dr. Franklin Lakes 07417
<input type="checkbox"/>		Quest Diagnostics Incorporated	1 Malcolm Ave Teterboro ,NJ 07608
<input type="checkbox"/>		AT&T	15 E Midland Ave Paramus
<input type="checkbox"/>		Englewood Hospital and Medical Center	350 Engle St. Englewood
<input type="checkbox"/>		Aramark Svcs Management of NJ Inc	50 Route 120 East Rutherford
<input type="checkbox"/>		Holy Name Hospital	718 Teaneck Road Teaneck

<input type="checkbox"/>		Doherty Enterprises Inc	7 Pearl Ct Allendale
<input type="checkbox"/>		Bergen Regional Medical Center	230 East Ridgewood Ave Paramus
<input type="checkbox"/>		Inserra supermarkets, Inc.	20 Ridge Rd Mahwah
<input type="checkbox"/>		Howmedica Osteonics Corp	59 Route 17 Allendale
<input type="checkbox"/>		Becton Dickinson & Company Corp	1 Becton Dr. Franklin Lakes
<input type="checkbox"/>		Pearson Education, Inc.	1 Lake St. Upper Saddle River

Passaic County

<input type="checkbox"/>		D&E Pharmaceutical Co.	206 Macoprin Rd Bloomingdale, NJ 07403
<input type="checkbox"/>		Acme Markets	467 AllWood Rd Clifton, NJ 07012
<input type="checkbox"/>		St. Mary's Hospital	350 Boulevard Passaic, NJ 07055
<input type="checkbox"/>		Merry Maids	14 Riverside Square Mall, Bloomingdale, NJ 07403
<input type="checkbox"/>		Health Center at Bloomingdale	255 Union Ave Bloomingdale, NJ 07403
<input type="checkbox"/>		Sommers Plastic Product Co. Inc.	31 Styertowne Rd Clifton, NJ 07012
<input type="checkbox"/>		St. Joseph's Hospital	703 Main St. Paterson, NJ 07503
<input type="checkbox"/>		BAE Systems	164 Totowa Rd. Wayne, NJ 07470
<input type="checkbox"/>		Drake Bakeries Inc	75 Demarest Dr, Wayne, NJ 07470
<input type="checkbox"/>		Toys R Us National Headquarters	1 Geoffrey Way, Wayne, NJ 07470
<input type="checkbox"/>		GAF Materials Corporation	1361 Alps Rd, Wayne, NJ 07470
<input type="checkbox"/>		Valley National Bank Headquarters	1455 Valley Road Wayne, New Jersey 07470

Sussex County

<input type="checkbox"/>		Selective Insurance	40 Wantage Ave, Branchville, NJ
<input type="checkbox"/>		Andover Subacute and Rehab Center	99 Mulford Rd Bldg 2, Andover, NJ
<input type="checkbox"/>		Mountain Creek Resorts	200 State Rt 94, Vernon, NJ
<input type="checkbox"/>		County of Sussex	One Spring Street, Newton, NJ 07860
<input type="checkbox"/>		Newton Memorial Hospital Inc.	175 High St, Newton, NJ
<input type="checkbox"/>		Vernon Township Board of Education	539 State Rt 515, Vernon, NJ
<input type="checkbox"/>		F.O. Phoenix (Econo-Pak)	1 Wiebel Plz, Sussex, NJ
<input type="checkbox"/>		Hopatcong Board of Education	2 Windsor Ave, Hopatcong, NJ
<input type="checkbox"/>		Saint Clare's Hospital	20 Walnut St, Sussex, NJ

<input type="checkbox"/>		Ames Rubber Corp	19 Ames Blvd, Hamburg, NJ
3e. Community Contacts (names of community groups/organizations throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing)			
Name of Group/Organization	Outreach Area	Racial/Ethnic Identification of Readers/Audience	Duration & Frequency of Outreach

IV. APPLICATIONS

Applications for affordable housing for the above units will be available at the following locations:	
4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person) (Check all that applies)	
	BUILDING
	LOCATION
<input checked="" type="checkbox"/>	Sussex County Main Library
<input checked="" type="checkbox"/>	125 Morris Turnpike, Newton, NJ 07860
<input checked="" type="checkbox"/>	Hudson County Administration Building
<input checked="" type="checkbox"/>	595 Newark Avenue, Jersey City, NJ 07306
<input checked="" type="checkbox"/>	Passaic County Administration Building
<input checked="" type="checkbox"/>	401 Grand Street, Paterson, NJ 07505 (973) 225-3632
<input checked="" type="checkbox"/>	Bergen County Administration Building
<input checked="" type="checkbox"/>	One Bergen County Plaza, Hackensack, NJ 07601 (201)336-6000
4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)	
Lafayette Municipal Building, 33 Morris Farms Road, Lafayette Township, NJ	
Contact : Richard Hughes or Anna Rose Fedish	
4c. Sales/Rental Office for units (if applicable)	

V. CERTIFICATIONS AND ENDORSEMENTS

I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the (select one: Municipality's COAH substantive certification or DCA Balanced Housing Program funding or HMFA UHORP/MONI funding).	
Name (Type or Print)	
Title/Municipality	
Signature	Date